

Braille Monitor



MARCH, 1980

VOICE OF THE NATIONAL FEDERATION OF THE BLIND

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THE BRAILLE MONITOR

PUBLICATION OF THE
NATIONAL FEDERATION OF THE BLIND

MARCH 1980

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THE BRAILLE MONITOR

PUBLISHED MONTHLY IN INKPRINT, BRAILLE, AND ON TALKING-BOOK DISCS BY
THE NATIONAL FEDERATION OF THE BLIND

KENNETH JERNIGAN, *President*

NATIONAL OFFICE
1800 JOHNSON STREET
BALTIMORE, MARYLAND 21230

LETTERS FOR THE PRESIDENT, ADDRESS CHANGES,
SUBSCRIPTION REQUESTS, AND ORDERS FOR NFB LITERATURE,
ARTICLES FOR THE MONITOR AND LETTERS TO THE EDITOR
SHOULD BE SENT TO THE NATIONAL OFFICE

* * *

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NATIONAL FEDERATION OF THE BLIND
BOX 11185
KANSAS CITY, KANSAS 66111

* * *

If you or a friend would like to remember the National Federation of the Blind in your will, you can do so by employing the following language:

"I give, devise, and bequeath unto National Federation of the Blind, a District of Columbia nonprofit corporation, the sum of \$ _ (or " _ percent of my net estate" or "the following stocks and bonds: _ ") to be used for its worthy purposes on behalf of blind persons."

* * *

*THE NATIONAL FEDERATION OF THE BLIND IS NOT AN ORGANIZATION
SPEAKING FOR THE BLIND—IT IS THE BLIND SPEAKING FOR THEMSELVES*

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A CORRECTION

In the October–November issue we mistakenly reported that Resolution 79–21 concerning the Davis Case was adopted by

the National Convention. The Resolution was postponed for future discussion. We are sorry for this error.

THE “KANSAS CAPER”: AMERICAN COUNCIL OF THE BLIND, THE DISAPPEARING ACT, AND THE THRIFT STORES

MONITOR readers will remember the article appearing in the June, 1979, issue which described the thrift-store fundraising scheme of the American Council of the Blind and reported that the Attorney General of Kansas had brought suit against the Council for failing to register with the state as required under Kansas law. In that article we outlined the basis for the charges and wondered why, in view of ACB's repeated claims to honesty and openness, there had never to that point been a public reporting of the whole messy business. We found it hard to account for ACB's silence in view of its publicly stated “commitment” to the principle of “full disclosure.”

Anyone who analyzes the financial operation of an ACB thrift-store will inevitably come away with a series of unanswered questions, and this was exactly the situation facing the Kansas Attorney General who, among his other duties, has the responsibility of protecting the citizens of his state from fast maneuvers and slick operations. Finding the ACB in violation of Kansas law, and failing to get answers to his questions about their thrift-store, the Attorney General took them to court. It was shocking to think of the amount of money which had to be changing hands while yielding such a small return for use in furtherance of the Council's alleged charitable purposes. Furthermore, the role of two profit-making

corporations (Henderson Management and Kelly Management) was also suspicious and puzzling; not to mention being quite likely illegal as well.

When you come right down to it, this Kansas lawsuit goes straight to the question of the Council's credibility—not only such credibility as the organization may have in terms of public standing. But, even more, the credibility of its leaders and their candor with the members. The primary issue (the Council's registration as a charitable organization authorized for fundraising within the State of Kansas) is something which can be readily determined through an orderly judicial process. Either there is compliance with the law, or there is not. There is simply no other choice in the matter—nor is this determination terribly complex. If registration has been accomplished, there have to be documents to prove it. Alternatively, if ACB is somehow exempt from Kansas law, this can be determined as well, and it should ordinarily take no more than a brief glance to know.

With this in mind it is worth reviewing several of the documents filed in these legal proceedings in Kansas. In the first place while the court records reveal that the lawsuit (in the form of a “Petition for Injunction and Other Relief”) was originally filed in the District Court of Shawnee County, Kansas on February 27, 1976, the state did

not succeed in serving its papers on either of the named defendants (American Council of the Blind or Arliss Henderson Management) until January 1977. This in itself is hard to understand, for one would think that a reputable charity would maintain enough of a public presence that a State Attorney General could at least find it. After all, if a charity cannot even be found by the agents of justice and law, what about the people who are its alleged beneficiaries?

To illustrate the problem which the Kansas Attorney General had in locating the American Council of the Blind, the following statement appears on a service of process record filed by the U.S. Marshall's Office in Washington, D.C.: "I hereby certify and return that, after diligent investigation, I am unable to locate the individual, company, corporation, etc., named above within this Judicial District." This is quite an incredible statement, since the American Council of the Blind claims at least to be a District of Columbia non-profit corporation, and since it regularly represents that its national office is located in Washington, D.C. What is the explanation, can it simply be that the Council moved its office, but if so, wouldn't such a purportedly active national organization be easily found at its new address? With the ordinary group, you would certainly think so.

On January 26, 1977, almost eleven months exactly from the date of the original filing of the lawsuit, the Council was finally found and appropriate papers were served, allowing thirty days time for the organization to make a suitable response. This began the next phase of the Kansas litigation (or as some have called it, the "Kansas Capers")—which as you will see, has since been characterized by repeated maneuvers of delay and deliberate attempts at evasion. Two documents (a "Motion and Supporting Memorandum for Order Compelling Dis-

covery" filed by the State of Kansas in March, 1978, and a "Memorandum in Response. . ." filed by Defendants' counsel on April 10, 1978), illustrate best the delaying tactics. These documents are presented in full as follows:

MOTION AND SUPPORTING MEMORANDUM FOR ORDER COMPELLING DISCOVERY

Plaintiff, the State of Kansas, by and through Assistant Attorney General Donald A. Low, moves the court for an order compelling defendants to respond to interrogatories and requests for production of documents submitted by plaintiff in the above captioned case on May 2, 1977, and further, to award plaintiff the expenses of this motion, pursuant to K.S.A. 60-237 (a).

In support of this motion, plaintiff states the following:

1. That the petition herein was filed on February 27, 1976; defendant American Council of the Blind, Inc. was served with process on January 28, 1977, defendant Arliss Henderson Management Company, Inc. was served with process on March 31, 1977; and defendants filed an answer and counterclaim on March 7, 1977, and an amended answer and counterclaim on March 16, 1977.

2. That on May 2, 1977, plaintiff served on counsel for defendants and filed with the court, requests for production of documents by each defendant, pursuant to K.S.A. 60-234.

3. That on May 2, 1977, plaintiff served on counsel for defendants the originals and two copies each of interrogatories to each defendant (exhibits A and B, attached) pursuant to K.S.A. 60-233.

4. That although K.S.A. 60-233 and 234 require responses within thirty (30) days after service of the interrogatories and requests, defendants to date have failed to

respond or object to either the interrogatories or requests for production of documents.

5. That the disputed issues in this case are primarily matters of law and not fact but that the information and facts to be supplied by responses to the interrogatories and requests for production of documents are necessary before the legal issues can be resolved by way of a motion for summary judgment.

Respectfully submitted,
CURT T. SCHNEIDER
Attorney General

BY: DONALD A. LOW
Assistant Attorney General
Attorney for plaintiff

MEMORANDUM IN RESPONSE TO MOTION FOR ORDER COMPELLING DISCOVERY

The defendants, American Council of the Blind, Inc., and Arliss Henderson Management Company, Inc., respectfully request that the plaintiff's Motion for Order Compelling Discovery be denied. In support of the foregoing request, defendants state as follows:

1. Principal responsibility for handling the above-captioned litigation was recently transferred to the undersigned from John E. Wilkinson, the original counsel of record, due to the pressing business obligations of Mr. Wilkinson.

2. The undersigned, as secondary counsel for the defendants, was under the erroneous impression that the interrogatories and requests for production propounded by the plaintiff either were being worked on by the defendants or had been mislaid.

3. Recently the undersigned was advised by the defendants that the interrogatories and requests for production are objectionable in that they request information and documents which are clearly not pertinent

to the issues of law in dispute in this case and are in fact highly intrusive with respect to the affairs of these two organizations.

4. Having assumed primary responsibility for this litigation, and having reviewed the interrogatories and requests for production propounded by plaintiff and other materials contained in the file, the undersigned concurs with the objections raised by the defendants, and suggests to the court that plaintiff's Motion should be denied, at least until such time as a specific need is shown for the information demanded.

5. On behalf of the defendants, the undersigned further requests that the court establish a schedule for submission of contentions and arguments pertaining to the legal issues in dispute in this litigation, by cross-motions for summary judgment or some other appropriate procedural device.

6. Further, the undersigned acknowledges that the pleadings in the above-captioned litigation have been on file for a substantial period of time, but respectfully urges the court to give due consideration to the demands imposed by Mr. Wilkinson's business activities and by the many professional obligations which have taken the undersigned in the various federal, state, and municipal courts, including the division in which this litigation is pending, on many occasions during recent months. The court is further advised that the undersigned and Mr. Wilkinson will be in California during the coming week preparing for the defense of Miss Helen Reddy, yet another subject of the legal attention of our Attorney General and his able staff, but that the legal issues in dispute in the action presently before the court will be given high priority and diligent attention upon our return.

Respectfully submitted,
WILKINSON & GRAVES
By: Leon B. Graves
Attorneys for Defendants

So said the law firm of Wilkinson and Graves, but what a document! Apparently Mr. Wilkinson didn't comply with the law because of his "pressing business obligations," so he turned it all over to a new lawyer (a Mr. Graves). Now, Mr. Graves apparently thought all of the questions of the Kansas Attorney General had already been answered by Mr. Wilkinson—that the whole thing was, as you might say, all "buttoned up." Then, Mr. Graves doesn't answer the questions of the Attorney General because he, also, has been busy. Next, we see from the documents that Mr. Graves is apparently the law partner of Mr. Wilkinson—maybe, for all one knows, sharing the very same suite of offices. It all leads to interesting conjecture: Perhaps the firm has still another partner, who can take it over when the questions get tough and the action gets hot—if, that is, Mr. Graves has "pressing business obligations." Maybe the new partner will think that Mr. Graves has answered all the questions since (though they are partners) communication is so difficult. Or perhaps by this time it can all be given back to Mr. Wilkinson, who can later hand it all to Mr. Graves again. As has been said, some have called it the "Kansas Caper."

Together these two documents are actually quite revealing. In the first place the State of Kansas' motion shows that attempts were made (in the form of "requests" sent to the Defendants) to secure certain data and answers to questions which would be necessary to proceed with the litigation. It is also clear that while these requests were filed on May 2, 1977, (only a few weeks after the Defendants were actually located), both Defendants had still failed to make any response whatsoever by mid-March, 1978, almost one year later. If nothing else this shows their rather cavalier disregard for the Kansas Attorney General not to mention their lack of respect for the entire

judicial process. Under the circumstances it would appear that the Attorney General and the Judge for the District Court were more than gentle in their response—the Defendants were ordered to produce the documents and answer the preliminary questions (referred to as "interrogatories"), but no penalty was assessed despite the inexcusable default.

In view of the fact that the original charges against ACB were brought because it had failed to file required registration papers with the State of Kansas to obtain an authorization to solicit funds as a public charity, it seems somehow consistent that the organization would also fail to respond to the questions of the Kansas Attorney General who is charged with the responsibility of enforcing the state's charitable solicitations law.

While ACB's behavior in this matter has been consistent, it is hardly the sort of thing which commends itself to those concerned with straight forward dealing and above-board behavior. But the "Kansas Caper" has much more to it: Consider for example the most recent methods which have been employed to forestall and evade a final decision in the litigation. We herewith reprint the "Plaintiff's Memorandum In Support of Its Motion for Summary Judgment" filed February 23, 1979, along with certain relevant responses:

PLAINTIFF'S MEMORANDUM IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT

In compliance with Supreme Court Rule 141, plaintiff submits the following.

The uncontroverted facts are as follows:

1. Defendant American Council of the Blind is a corporation organized under the laws of the District of Columbia with chari-

table purposes as defined by K.S.A. 17-1739.

2. American Council of the Blind is party to a contract with Arliss Henderson Management Company concerning the operation of the American Council of the Blind Thrift Store in Kansas City, Kansas.

3. Pursuant to the contract which is similar to the one attached to the Petition herein, Arliss Henderson Management Company, Inc. is responsible for employing personnel to operate the thrift store.

4. Employees of the thrift store solicit contributions of used household goods and used clothing from Kansas residents for American Council of the Blind, and said items are collected, repaired, refurbished and sold to the public at the thrift store.

5. American Council of the Blind receives contributions in excess of \$10,000 in any tax period and its fund raising functions are not carried on solely by persons who are unpaid for such services.

6. American Council of the Blind, Inc. is not authorized to do business in Kansas pursuant to K.S.A. 17-1740 and K.S.A. 17-7301; American Council of the Blind has not filed a registration statement pursuant to K.S.A. 17-1740; American Council of the Blind has not filed any annual reports pursuant to K.S.A. 17-1742 and K.S.A. 17-7504.

7. Arliss Henderson Management Company, Inc. is not registered as a professional fund raiser pursuant to K.S.A. 17-1744; Arliss Henderson Management Company, Inc. has not filed a bond pursuant to K.S.A. 17-1744; Arliss Henderson Management Company has not filed a true and correct copy of its contract pursuant to K.S.A. 17-1744; Arliss Henderson Management Company, Inc. is not authorized to do business pursuant to K.S.A. 17-7301.

8. Employees of Arliss Henderson Management Company, Inc. who solicit contri-

butions of used household goods and clothing for the thrift store are not registered as professional solicitors pursuant to K.S.A. 17-1740.

Having stated the uncontroverted facts, the applicability of K.S.A. 17-1739 *et seq.* will be examined. The provisions of K.S.A. 17-1739 *et seq.* commonly known as the Charitable Solicitations Act, apply to defendants, American Council of the Blind and Arliss Henderson Management Company, Inc., as a charitable organization and a professional fund raiser, respectively, soliciting contributions in this state. The application of the statutes to defendants in light of the facts and circumstances is clear from the language and purpose of the Act.

Plaintiff is charged with enforcing the laws of the State of Kansas. Plaintiff's authority is based on both common law and statutory law, more specifically K.S.A. 17-1747. Reasonable regulation of charitable organizations is within a government's police power. In exercising its police power, the legislature determined that certain charitable organizations and others should comply with registration requirements. Pertinent terms are adequately defined, the classification is uniform and not suspect, and the restrictions are reasonable. There is minimal infringement on a person's right to solicit by reason of the Act primarily requiring information, thus the adoption of the "informational approach". The penalties and sanctions for not complying with the Act are clearly stated. Once a violation of the Act is shown, plaintiff's request for relief should be granted.

K.S.A. 17-1740 (a) provides: Every charitable organization, except as otherwise provided in section 3(17-1741) of this act, which solicits or intends to solicit contributions from persons in this state by any means whatsoever shall be a corporation organized under the laws of this state or authorized to

do business in this state, and prior to any solicitation, shall file with the Secretary of State of the State of Kansas upon forms prescribed by him, a registration statement. . .

K.S.A. 17-1744 to 1746 impose additional requirements on persons acting as professional fund raisers and as professional solicitors for charitable organizations. K.S.A. 17-1739 defines words and phrases used in the Act. Those definitions in relevant part read:

(b) "contribution" means the promise or grant of any money or property of value of any kind, including the promise to pay, except money or property received from any governmental authority.

(d) "professional fund raiser" means any person who for compensation or other considerations, plans, conducts, manages or carries on any drive or campaign in this state for the purpose of soliciting contributions for or on behalf of any charitable organization or any other person, or who engages in the business of, or holds himself out to persons in this state as independently engaged in the business of soliciting contributions for such purposes.

(e) "professional solicitor" means any person who is employed or retained for compensation by a professional fund raiser to solicit contributions for charitable purposes from persons in this state.

It is not disputed that American Council of the Blind is a charitable organization nor that employees of Arliss Henderson Management Company, Inc. solicit and receive donations of various items of used property from Kansas residents. It is not contended that American Council of the Blind is spe-

cifically exempted from registration by any of the provisions of K.S.A. 1978 Supp. 17-1741. The existence of a contract between American Council of the Blind and Arliss Henderson Management Company, Inc. is admitted along with the fact that employees of Arliss Henderson Management Company, Inc. are soliciting property of value from Kansas residents. Arliss Henderson Management Company, Inc. is designated an independent contractor who operates the thrift store as a fund raising operation, nevertheless Arliss Henderson Management Company, Inc. is responsible for its employees.

It is apparent that American Council of the Blind as a charitable organization, which solicits contributions from persons in this state, is required to register pursuant to K.S.A. 17-1740(a). Consequently, Arliss Henderson Management Company, Inc. and its employees are also subject to the statute as professional fund raiser and professional solicitors respectfully and must comply. The applicability of the Act is not only required by the plain and unambiguous language of the statute but it is also compelled by the purpose and intent of the Act. This purpose is, first, to make financial and operational information about charitable organizations available to the contributing public and, secondly, to guard against any fraudulent solicitation activities carried on by groups purporting to represent charities or by charitable groups.

K.S.A. 17-1747 provides for plaintiff to bring this action and allows for the Court to grant an injunction and costs as prayed for by plaintiff.

Having established the uncontroverted facts and having stated the controlling statutory provisions, it is concluded no genuine issue of material fact exists and as a matter of law, plaintiff is entitled to judgment.

Plaintiff respectfully requests that plaintiff's motion be granted.

Respectfully submitted,
ROBERT T. STEPHAN
ATTORNEY GENERAL

By: LINDA P. JEFFREY
Assistant Attorney General
Attorney for Plaintiff

JOHN E. WILKINSON
ATTORNEY AND COUNSELLOR AT LAW
Topeka, Kansas
April 19, 1979

Linda Jeffrey
Assistant Attorney General
Kansas Judicial Center
Topeka, Kansas

Re: State vs. American Council of the
Blind, Inc. et al.
Case No. 130, 379

THE STATE OF KANSAS

OFFICE OF SECRETARY OF STATE

JACK H. BRIER • SECRETARY OF STATE

**To all to whom these presents shall come,
Greeting:**

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that a search of the records of the Secretary of State does not reveal that a corporation by the name AMERICAN COUNCIL OF THE BLIND has ever been either incorporated in the State of Kansas or authorized to do business in Kansas as a foreign corporation, nor has a corporation bearing that name been authorized to solicit charitable contributions in the State of Kansas.

IN TESTIMONY WHEREOF:

I hereto set my hand and cause to be affixed my official seal.

Done at the City of Topeka, this
ninth day of February
A.D. 1979

JACK H. BRIER
SECRETARY OF STATE

By
ASSISTANT SECRETARY OF
STATE

Dear Ms. Jeffrey:

After Margaret and I were in your office this noon, I proceeded to go to Judge Michael Barbara's office at about 2:30 p.m. to discuss with him the Motion for Extension of Time in Which to Respond to your Motion for Summary Judgment.

As you know, I have been under the impression that this case was moot as my file had been closed and I had collected my fee. In any event, whether it is moot or not, Judge Barbara, upon being presented with the Motion for Extension, indicated that he felt that the case had been dismissed on the motion of the Plaintiff sometime ago. Closer investigation discloses that even though there have been a number of pleadings filed subsequent to the date of dismissal, the fact is that the case was dismissed on the motion of Plaintiff without prejudice on May 27, 1977. There appears to have been no reinstatement of the case for any reason. In any event, in such circumstances, I do not find it necessary to respond to your Motion for Summary Judgment.

You will find enclosed a copy of the docket sheet on this matter which apparently reflects that the case was dismissed on the motion of the plaintiff without prejudice on May 27, 1977. This docket sheet appar-

ently reflects what Judge Barbara had in his minutes with respect to this matter.

Very truly yours,
John E. Wilkinson

STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL
Topeka, Kansas
June 5, 1979

Mr. John E. Wilkinson
Attorney at Law
Topeka, Kansas

Re: *State of Kansas, ex rel. v.*
American Council of the Blind,
Inc. et al, Case No. 130, 379

Dear Mr. Wilkinson:

I have attempted several times to reach you by telephone to discuss the above referenced case, however, I have been unsuccessful.

My position is as follows. The minutes of May 27, 1977, were inadvertently entered and should be set aside. The attorney for the state at the time in question did not make an oral motion for the case to be dismissed, there is no written motion on file with the Court, the numerous papers filed subsequent to May 27, 1977, indicate both parties honestly believed the action was yet pending and it must be presumed counsel would not continue representing a client and performing work on a case that had been dismissed. I propose to file a Motion to Set Aside Minutes and accompanying Order.

In addition, it is my understanding that American Council of the Blind, Inc. no longer exists as it has been replaced by American Council of the Blind Enterprises and Services, Inc. The latter organization has registered with the Secretary of State

but has not been authorized to solicit charitable contributions in Kansas. The case involving American Council of the Blind, Inc. is moot. I propose to file a stipulation for dismissal.

To expeditiously conclude this matter, your signatures on the Order and Stipulation are requested. If this is agreeable, kindly sign and return to me immediately. Should this be unacceptable, my next action would necessarily be a motion to reinstate. I shall anticipate hearing from you soon.

Very truly yours,
OFFICE OF THE ATTORNEY GENERAL
ROBERT T. STEPHAN

Linda P. Jeffrey
Assistant Attorney General
Consumer Protection Division

AMERICAN COUNCIL OF
THE BLIND
Washington, D.C.
DURWARD K. McDANIEL
NATIONAL REPRESENTATIVE
July 26, 1979

Mr. John E. Wilkinson
Attorney and Counsellor at Law
Topeka, Kansas

Re: Your File No. 145.00

Dear John:

Our recollection is that the plaintiff did not obtain service of process in the form and manner prescribed by the statute under which the suit was filed. We believe that the records in the Secretary of State's Office will bear out these facts.

Of course, the Attorney General's Office

is mistaken about the non-existence of the American Council of the Blind, Inc. We agree that the suit against the American Council of the Blind, Inc. is moot, but it is also moot as against the Arliss Henderson Management Co., Inc. We believe that the confusion arises from the fact that the new non-profit corporation, the American Council of the Blind Enterprises and Services, Inc. has become the controlling entity, whereas the Arliss Henderson Management Co., Inc. is now only a consultant and supervisor. The employees of the Kansas City, Kansas store work for the American Council of the Blind Enterprises and Services, Inc., which is wholly controlled by the American Council of the Blind, Inc.

Prior to October 1, 1978, the Kansas City, Kansas store was managed for the American Council of the Blind, Inc. by the Kelly Management Co., which was a subsidiary of the Arliss Henderson Management Co., Inc. The Kelly Management is no longer involved in the operation of that store in any way and probably no longer exists.

As counsel for both defendants, you should resist all efforts to set aside the dismissal which was effective as to both defendants. If the Attorney General is not precluded by the statute of limitations, the suit could be refiled. However, further consideration of the materially altered facts should persuade the new staff attorney that further litigation is not justified. The American Council of the Blind Enterprises and Services, Inc. has fully complied with the statute, and there is no basis for a legal controversy arising from the operation of the thrift store.

It has been clear to us from the facts for a long time that the filing of this suit was based on a complaint of a rival organization whose purpose was and is to damage the American Council of the Blind, Inc. by

curtailing a source of income intended and used for bona fide corporate purposes.

Sincerely,
Durward K. McDaniel
Attorney at Law

DKM/mbh

cc: Oral O. Miller
James Habel
Arliss Leibold
James Olsen

Before continuing this astonishing parade of documents, we interrupt to comment on the flavor of it all. It is such a complicated maze of interlocking corporations, groups, and individuals that it makes one's head spin. It is like a soap opera. If one did not know that the American Council of the Blind and its interwoven associates (the American Foundation for the Blind, the Minneapolis Society for the Blind, the Affiliated Leadership League of and for the Blind, and such like,) were honorable, straight forward groups, there would almost be a suspicion of flim flam.

For openers, observe that Mr. Wilkinson is back on the stage. And who is Arliss Leibold? Was this person formerly Arliss Henderson? Or do there just happen to be two Arlisses in the "Caper?"—or is there, perhaps, a third Arliss? How does American Council of the Blind Enterprises and Services corporation happen to have its headquarters at the Minneapolis Society for the Blind? And what is the relation of it all to Kelly Management, which may no longer exist? But how does Arliss Leibold or Arliss Henderson get into the act? And, for that matter, is the Kansas Attorney General right, and does the American Council of the Blind no longer exist? We often wonder that ourselves and can certainly understand his point of view—or is it Kelly Manage-

ment that no longer exists? Or does one or another just exist now and again? But anyway, back to the letters and documents. The Kansas Attorney General was not to be put off or bamboozled. Under date of July 17, 1979, came the Attorney General's Motion to Reinstate:

MOTION TO REINSTATE

COMES NOW the plaintiff and respectfully moves the Court to reinstate the above entitled case. In support thereof plaintiff alleges the minutes of May 27, 1977, show the case dismissed on motion of plaintiff without prejudice; however, after investigation it is apparent a mistake has been made. The attorney for plaintiff at the time in question did not make an oral motion for the case to be dismissed. There is no written motion on file with the Court. Numerous papers have been filed by both plaintiff and defendants subsequent to May 27, 1977, and such action would be utterly ridiculous if the case was dismissed. It is apparent the minutes were inadvertently entered.

Respectfully submitted,
ROBERT T. STEPHAN
ATTORNEY GENERAL

By: Linda P. Jeffrey
Assistant Attorney General
Attorney for Plaintiff

Again, we interrupt to note the number of unusual and interesting coincidences which have characterized this case. A mistake was apparently made, and minutes are produced to show that a thing happened which presumably never happened at all. How, oh how did it all occur? Curiouser and curiouser, isn't it? The judge was ob-

viously vastly unimpressed by the argument that it should all be swept under the rug:

ORDER

Now on this 7th day of August, 1979, the above-captioned matter comes before the Court on the motion of plaintiff to reinstate. The motion is sustained and the Court enters its Order reinstating the case, finding the minutes of May 27, 1977 inadvertently entered.

Michael Barbara
JUDGE OF THE DISTRICT
COURT

Submitted by:
ROBERT T. STEPHAN
ATTORNEY GENERAL

By: Linda P. Jeffrey
Assistant Attorney General
Attorney for Plaintiff

John E. Wilkinson
Attorney for Defendants

As we go to press with this issue of the MONITOR, a final court decision has still not been handed down in Kansas—further delays (incidentally occasioned in part by another failure to locate ACB in Washington, D.C.) have been encountered. But justice cannot be delayed forever. One day (like Little Bopeep's sheep) a decision will come marching home to the ACB, wagging its tail behind it. In the meantime let us hear no more from ACB about honor, morality, and particularly about openness. Moreover, let us especially never again hear NAC and its allies claim that NAC accreditation means quality services—acting as if the one can be equated with the other. We of the National Federation of the Blind favor quality services. We favor the improvement of standards in programs for

the blind. That is why we oppose NAC and its form of accreditation—its axgrinding, its politicking, its maneuvering, and its sanctimony.

As to the “Kansas Caper” it is not only a slight jump from the ACB’s so-called “thrift-store.” Remember the refrain?: “I owe my soul to the company store.”

As a kind of footnote or postscript to the “Kansas Caper,” we thought MONITOR readers might be interested in a letter which was written to Marc Maurer by the Federal Internal Revenue Service late in 1979. Mr. Maurer was interested in seeing the ACB’s tax return—and what do you know! It couldn’t be located. When will this disappearing act (this “Kansas Caper”) ever end?:

Internal Revenue Service
Department of the Treasury
Washington, DC 20224
Person to Contact:
Ms. Boddie
Telephone Number:
(202) 566-2836
Refer Reply to:
TX:D:F:RR 79EO:244
Date: 19 DEC 1979

Mr. Marc Maurer
Baltimore, MD

Dear Mr. Maurer:

A thorough search has been made in the appropriate offices for the material listed below.

American Council of the Blind
1977 Form 990

We regret we cannot comply with your request since we have been unable to locate the material. We are, therefore, closing your request.

Should you still require this information,

please contact our office in approximately 60 days at the following address: Freedom of Information Reading Room, 1111 Constitution Avenue, N.W., Washington, DC 20224. We will, at that time, conduct another search.

We are sorry for any inconvenience caused to you in this matter. This completes your request with us.

Sincerely,
Stanley Stein
Chief, Section II
Freedom of Information
Branch

Every cake should have a frosting. In the telephone directory for the Greater Kansas City area published by South West Bell Company appears the following listing: “American Council of the Blind—Thrift Store, 1207 North 5th, Kansas City, Kansas, 321-2044.” (The area code for Kansas City, Kansas is 913). On January 16, 1980, a call was made to 321-2044. The phone was answered as follows: “You have reached a number that has been disconnected or is no longer in service. If you feel you have reached this recording in error please check the number and try your call again.” The call was tried again—with the same results. An individual who drove by the 5th Street address on January 16, 1980, reported that the Thrift-Store (or, presumably, it was the Thrift-Store) seemed to be open for business. Telephone directory assistance said on January 16, 1980, that it showed no listing for the American Council of the Blind or its Thrift-Store.

The “Kansas Caper” seems to be a sort of “black hole,” into which things keep disappearing but, then, NAC or the American Foundation for the Blind will doubtless straighten it all out. They don’t like “black holes.” They favor “openness.” Yes, every cake should have a frosting.

FLORIDA DIVISION OF BLIND SERVICES IN TROUBLE

(Note: The following two articles may only be the tip of an iceberg. It is reported that the problems continue and that high officials may ultimately be involved. The Division of Blind Services is one of the flagship agencies in the National Accreditation Council's fleet, thus the recently disclosed legal problems should not be at all surprising. Here is one more reason why NAC is harmful to the blind. Reprinted with permission.)

Blind Services inquiry sent to Morrison

by JOHN VAN GIESON and AL MESSERSCHMIDT

Knight-Ridder news service

From The MIAMI HERALD Oct. 11, 1979

Evidence of improprieties in construction and equipment purchases at snack bars operated by blind vendors will be turned over to Leon County State Attorney Harry Morrison this week, auditors said Wednesday.

Their report to Morrison is an offshoot of a year-long investigation that resulted in four men being charged in Miami Friday of bilking the Division of Blind Services out of nearly \$500,000 in an alleged overbilling, bid-rigging and kickback scheme.

Two of the four, former Blind Services Supervisor Everett "Tex" Fielder and contractor John "Red" Finley, pleaded guilty in Miami Wednesday and agreed to testify against the other two. Fielder agreed to testify against his brother, John, also a former Blind Services supervisor.

There is no apparent connection between the four men charged in Miami and the request for a criminal investigation in Tallahassee, although some of the allegations are similar.

"(Audit findings in Tallahassee) have to do with purchase of equipment, construction—the same type of things as in Miami," Auditor General Ernest Ellison said.

He would not discuss specific findings by his staff, which are confidential at this

point, but sources said possible overcharges at the \$100,000 snack bar on the 10th floor of the new Capitol were involved in the information being turned over to Morrison.

The Miami Herald reported in March that the state was billed for a decorative canopy that never was installed at the new Capitol snack bar. The canopy was listed, as part of a L-shaped counter, on a \$7,975 invoice submitted by American Restaurant Supply Co. of Tallahassee on Feb. 9, 1978.

Blind Services Director Donald Wedewer directed agency official Charles T. Hammond, who was the district supervisor in Tallahassee when the new Capitol snack bar was designed, to obtain reimbursement from the firm. Wedewer subsequently told American Restaurant Supply owner Joe Nahoom of Tallahassee that he owed the state \$2,220 for the canopy.

Nahoom denied that he billed the state for the canopy. He contended, with letters of support from new Capitol architects, that the canopy was removed from plans for the snack bar before the job went out for bids. The canopy was listed on the invoice by mistake, Nahoom said.

Nahoom's company was paid more than \$70,000 for installing the new Capitol snack bar, which Hammond said was de-

signed as a showpiece of the 165 vending stands operated by the division, usually in public buildings, around the state.

But Tony Laird, operator of the snack bar, told the Herald that Hammond ignored his recommendations when the facility was designed. He complained that the snack bar was poorly designed. Wedewer authorized remodeling less than a year after the snack bar opened.

Nahoom said that auditors questioned him about two food warmers that were never installed in the new Capitol snack bar. He said Department of General Services officials prevented installation of the food warmers because of the state's contract with a private firm that runs a cafeteria in the Capitol basement.

In Miami, Everett Fielder pleaded guilty to a charge that he accepted a \$2,000 cash payoff from Finley, a former Dade building contractor who now operates an Okeechobee restaurant.

He was sentenced to three years' probation in exchange for testimony against his brother and another man charged with operating an alleged \$500,000 bid-rigging kickback scheme that controlled Blind Services' contracts in South Florida.

Fielder, a security guard in Las Vegas, admitted in Circuit Court that he accepted \$2,000 in cash that was passed to his brother John by Finley.

John Fielder and Herbert Horton, who will be arraigned in two weeks, are charged with 46 counts of giving or receiving unlawful compensation in an information filed by prosecutors David Waksman and Leonard Lewis.

The charges followed a year-long investigation by Florida Department of Law Enforcement agents Nancy Barnes and Sheldon Satty, by the Dade state attorney's office, the Florida Department of Education and the Florida auditor general's office.

Finley was sentenced to three years' probation in exchange for his testimony. A condition of the probation requires that Finley serve a year in the county jail. He will surrender Oct. 29.

According to the information filed last Friday, the four allegedly conspired to charge the state as much as \$1,645 for radar ranges selling for only \$800, and created phony bills to pay for expensive lunches.

State probing overcharges for blind services snack bar

United Press International

TALLAHASSEE DEMOCRAT, October 12, 1979

TALLAHASSEE—Evidence indicating the state paid \$100,000 for work or equipment never provided for a Capitol snack bar has been turned over to State Attorney Harry Morrison, Knight-Ridder newspapers reported Thursday.

The evidence was uncovered by Auditor

General Ernest Ellison in an offshoot of a year-long probe resulting in four Miami men being charged recently with bilking the Division of Blind Services out of nearly \$500,000, the news service said.

There is no apparent connection between the Miami case and the allegations involv-

ing the Capitol snack bar, but some of the events are similar in nature, Knight-Ridder said.

Snack bars in state government buildings are operated by blind persons trained and supervised by the Division of Blind Services.

Ellison confirmed his staff is preparing an audit on construction of the Capitol's 10th-floor snack bar, but refused to discuss the details. Knight-Ridder said it learned from unidentified sources that possible overcharges of up to \$100,000 have been

discovered and the evidence is being turned over to Morrison.

The Miami Herald, a Knight-Ridder paper, reported this spring that the state was billed for a decorative canopy never installed in the snack bar. American Restaurant Supply of Tallahassee responded that the state was not billed for the canopy, and the item was listed on an invoice by mistake.

The Miami charges involve equipment and work for state-operated snack bars in South Florida government buildings.

WASHINGTON STATE COMMISSION FOR THE BLIND PLAGUED BY INCREASING PROBLEMS AND REVELATIONS

(Note: The January, 1980, issue of the Monitor carried a series of articles from the Seattle Post-Intelligencer concerning the problems of the Washington State Commission for the Blind. More articles and more revelations have now occurred. Reprinted with permission.)

Timmer, Mover Differ On Missing State Equipment

by TIMOTHY EGAN

Copyright 1979, The SEATTLE POST-INTELLIGENCER

The former head of the state blind agency's Business Enterprises Program invited a mover to help himself to state-owned equipment intended for blind vendors, The Post-Intelligencer has learned.

Even though records show that the program director, Xavier F. Timmer, paid the mover with state funds to haul the equipment from Seattle to three cities around the state, the mover told The P-I that he never hauled any items anywhere.

All blind vendors in the three cities where state records prepared by Timmer show the equipment was destined told The P-I that they never received the items.

The move of the equipment—refrigera-

tors, ice machines, popcorn machines, office furniture—apparently took place on paper only.

After the documented move, which the mover, Jack Fitzgerald of Carson, Skamania County, says never took place, all record of the state equipment trails off to oblivion.

"I never moved anything for Mr. Timmer," Fitzgerald said.

He said he was paid \$427.50 in two checks "to clear some stuff" around a warehouse at Fircrest School for the Handicapped that was rented by the state blind agency and to do "some fixing up on the equipment."

"He (Timmer) told me on quite a few occasions that the equipment was his," Fitzgerald said.

"He's a goddam liar if he says I ever moved anything from that warehouse."

State records show that Timmer, as head of the blind agency's Business Enterprises Program, hired Jack Fitzgerald & Son, then of Tacoma, in May 1977 to haul equipment from Seattle to Spokane, Olympia and Tacoma.

The program supervises the state's blind vendors, who operate cafeterias and food and candy stands, mostly in government buildings.

In state vouchers for checks totaling \$427.50 to be issued to the mover, Timmer never provided the exact destination of the items, which a spokesman for the state Commission for the Blind says were intended for use by blind vendors.

A check by The P-I of every licensed blind vendor in Spokane, Olympia and Tacoma showed that not one of them remembers receiving any equipment from the state in May, 1977.

The 17 vendors in the three cities said they have none of the required records that would indicate receipt of the items.

To this day, the state Commission for the Blind and the state Attorney General's office, which has ordered an audit of the commission, say they can find no record of where the property went.

It's officially listed as "missing."

"I've had people looking for it to beat hell," said Jack Fischer, commission spokesman. "But we still don't have any idea where it is. There's no record of where it went."

He said that "as far as I know, there's no other place the equipment should have gone" except to blind vendors.

A federal audit has revealed that \$33,700

worth of state property was missing from the Business Enterprises Program.

The state currently is doing another audit of the commission's property.

"At this point, the auditors can't find it (the equipment or documentation on where it went) themselves," said Dave Minikel, an assistant state attorney general.

"We have the check. We know a documented move was made," Minikel said.

"Look, people (in the Business Enterprises Program) had control over a lot of money."

Documents concerning the "move" include a letter written on state stationery and signed by Timmer on May 20, 1977, that was sent to Jack Fitzgerald "to confirm our agreement dated May 15, 1977."

"It is our understanding that you will do moving equipment from Seattle to Spokane, Seattle to Olympia and Seattle to Tacoma at \$2.75 per person per hour," the letter says.

On May 31, 1977, an internal memorandum was written by a blind agency secretary, Nancy Jang, to Carl Jarvis, an agency counselor who temporarily succeeded Timmer as head of the program, questioning the lack of information Timmer provided about the move.

In the memo, Jang said she was asked to make out a warrant to Fitzgerald in the amount of \$302.50 for two men for 55 hours at \$5.50 per hour to move equipment from Seattle to Spokane, Olympia and Tacoma.

"Since you were not in the office Tim (Timmer) requested that I approve and sign the warrant so that it would go out in the mail this date," Jang wrote.

"I asked what location this charge was to be made to and received no reply. I also inquired as to the date service was rendered and he (Timmer) also had no reply."

Even so, a payment authorization form

was issued the same day for payment of \$302.50 through a state check issued to Fitzgerald.

It was charged to the Business Enterprises Revolving Fund account, managed by Timmer, the state documents show.

The payment authorization form says the purpose of the check is to pay "for two men for 55 hours moving equipment from Seattle to Spokane, Seattle to Olympia, Seattle to Tacoma."

Seattle vice detectives said they have given federal investigators evidence of what they believe to be property belonging to the blind agency they say they found at a private Seattle teen club.

Police said they found it when they closed the club, The Association, as a front for young male prostitution in late 1977. Timmer was one of four financial backers of the club.

The U.S. Attorney's office refused to disclose any details of its investigation of the missing property.

Timmer refused to comment on the equipment or the move and referred all questions about the matter to his attorney, Dean Sargent, who said he was not familiar enough with the incident to comment.

The P-I's check of the 17 licensed blind vendors in Spokane, Tacoma and Olympia turned up widespread discontent with the Business Enterprises Program under Timmer—who left the program in October, 1977—but no indications of the whereabouts of the property Timmer ordered moved.

"I pretty much know which places got what and I know nothing came into the Olympia area during that time," said Hank Johnson, a Tacoma vendor who was an advisor to all Olympia blind vendors in 1977.

"I'm sure of that," he said.

"We all got together and couldn't think of anything we got down here," said Orson Reynolds, an Olympia vendor. "I've had three of the biggest locations down here and I don't recognize any equipment that came from Seattle."

Similar comments came from vendors in Spokane and Tacoma.

Despite a series of revelations recently about operations of the Business Enterprises Program under Timmer, Kenneth Hopkins, director of the state Commission for the Blind, has not taken any action against Timmer.

Timmer runs a federally subsidized, licensed blind vendor cafeteria at a downtown Seattle post office that is supervised by the commission's Business Enterprises Program. He also has a private food company that does business with many of the vendors Timmer used to supervise when he was in charge of the program.

Timmer's private company, Evergreen Food, Sales, Vending and Management Inc., used space at the Fircrest warehouse after Timmer formed that company earlier this year.

After disclosures in The P-I that Evergreen was storing its equipment free of charge in the warehouse leased by the commission, Hopkins ordered Evergreen to vacate and the commission received a check from Evergreen for back rent due.

Although a licensed "blind" vendor, Timmer also has a state driver's license with no medical restrictions.

Fischer said that Hopkins would wait until various state and federal investigations of the commission are concluded before deciding whether to take any action involving Timmer's licensed vending operations.

Ex-lobbyist Defends State Commission for the Blind

by HILDA BRYANT

From The SEATTLE POST-INTELLIGENCER, December 5, 1979

A Texan who was an influential lobbyist when the Washington State Legislature created the Commission for the Blind two years ago held a press conference here yesterday to defend the problem-plagued commission.

Ariss A. Mallas, head of Management Services Association, the firm that produced a national survey heavily favoring establishment of the commission system, appeared before the press with Edward Foscue, who was removed last week as chairman of the state Commission for the Blind by Gov. Dixy Lee Ray.

Foscue said he believes he was "removed for political reasons" by the governor. His two-year term expired Sept. 30, but the governor could have reappointed him, he said.

Foscue was under fire because his \$21,000 annual salary as director of Career Search, a program for blind students at Seattle Central Community College, came entirely through the Commission for the Blind at the same time he served as the commission's chairman.

He also was criticized for hiring as his top assistant Mary Jacoby, wife of Kenneth Hopkins, the commission's director and the man who controlled the funding for Foscue's program contract.

Foscue said yesterday there was no conflict of interest in either arrangement.

Mallas was asked by reporters why he chose to talk to the press about the blind agency now that it is under severe attack and is being subjected to at least six different government investigations.

"I was interested in coming back after

two years to see what had happened here under the commission system," Mallas said. He said he spent Monday morning in the Seattle offices of the commission reading the agency's reports of its accomplishments.

"I find it to be the best agency for the blind on the West Coast," he said. "I didn't find any mismanagement."

Mallas conceded that he based his opinion only on the commission's own statements for its success and consulted none of the government auditors or blind clients.

Mallas said he finds newspaper reports of illegal and unethical practices by commission officials and former employees to be "superficial."

Foscue was asked by reporters if he, as chairman of the commission, found the agency to be suffering from fiscal mismanagement.

Foscue replied, "There were some errors made, but not mismanagement. I know, because I helped to bring Mr. Hopkins here."

Kenneth Hopkins, director of the commission, was ordered by the state attorney general to remove from a state warehouse equipment he had leased to a private food sales firm because such a deal may be illegal.

Hopkins' financial practices are under scrutiny by both federal and state auditors. The U.S. Attorney is investigating possible theft of government property and Hopkins' program management is being investigated by two state legislative committees and by the U.S. Department of Health, Education and Welfare.

Foscue told the press that Mallas was in Seattle on private business.

The Austin, Tex., businessman heads Kashan, a rare gem firm. Foscue is the only

local distributor of Kashan gems. Foscue said the gem show that brought Mallas to Seattle was set up in October.

Blind Vendors Say They Fear Agency Chief

by ART GORLICK and HILDA BRYANT

From The SEATTLE POST-INTELLIGENCER, December 12, 1979

OLYMPIA—A parade of blind vendors told a legislative hearing yesterday that they fear state Blind Commission Director Kenneth Hopkins, and they bitterly depicted him as an authoritarian, vengeful figure.

"Hopkins rules with an air of superiority of and contempt for blind vendors," said George West, who operates the cafeteria in the King County Administration Building in Seattle.

He said the state's blind vendors "are used to Hopkins and commission staff members riding roughshod over them" and lashed out at Hopkins as having "open contempt for those he is supposed to serve."

West was one of several vendors and other persons who testified at public hearings into the state blind agency by the House Committee on State Government.

About 200 persons packed a hearing room in the House Office Building and spilled over into the halls. Many of them wore dark glasses, carried long, white canes, took notes with braille styluses and tape-recorded the session.

At the hearing:

- Hopkins, who is blind himself, defended his administration as one of the best blind programs in the nation and startled and silenced the crowd by ending his otherwise low-key testimony with an impassioned announcement:

"I am not a homosexual." • State Reps. Joe Taller, R-Seattle, and Wayne Ehlers, D-Parkland, committee co-chairmen, told Hopkins and former Blind Commission Chairman Joe Foscue that some commission business dealings give "the appearance of conflict of interest" and that "the commission has made an end run around the statutes."

- Co-chairman Ehlers said the state Commission for the Blind has a staff turnover rate almost twice that of the average for state agencies and that out of a staff of 59, seven are exempt from civil service.

"We are investigating that," Ehlers said.

- Lori Engles, current head of the commission's business enterprises program, which supervises blind vendors, detailed a litany of questionable commission business dealings.

The audience burst into applause after Engles—who was suspended from her job, had her salary reduced and was otherwise disciplined when she first raised questions about the commission's operations—finished her testimony.

Taller silenced the crowd, saying the hearings "are not a show" and that he and Ehlers would not tolerate applause, booing or other demonstrations. The audience was orderly after that.

Before testimony began, Taller called for testimony from a man who wasn't there—

Xavier F. Timmer, former director of the business enterprises program.

Timmer, a key figure in many of the business dealings being questioned, involving the commission, had his license as a blind vendor suspended Dec. 7 on grounds that he "abandoned" the cafeteria he operates for the commission in Seattle's main post office.

Timmer's whereabouts are unknown to the commission and legislative investigators. His lawyer, Dean Sargent, said Timmer—who has a state driver's license with no medical restrictions—has been "out of the state" for the past two weeks but he expects him "to return soon, maybe later this week."

Engles, lead-off witness at the hearings, said architectural and engineering contracts awarded by the agency to design and construct vendor operations, have soared to more than double their original estimated cost, in some cases, through change orders.

And, she said, some of the designs were so faulty that they provided for sinks where there was no plumbing and electricity where there was none.

She also raised questions about funds received by the commission from vending machines at facilities throughout the state, for which she said there was virtually no accounting before she took over.

During the four years before she took over administration of the funds, the commission's total take from the machines was \$48,000. Since she took over two years ago, the fund has built up to \$211,000, she said.

Engles told the legislators that she could not explain why money from the machines didn't pour into the fund at the same rate before she took over the program.

She urged the legislators to reduce the number of civil service-exempt positions at the commission and provide laws that give protection to agency employees.

"We need protection for people if you are in a dictatorship," she said. "I am a disgruntled employee but I'm an honest one," she told the legislators.

Lloyd W. Smith, a blind vendor who operates the Legislative Building cafeteria in Olympia, said he fears Hopkins will drive him out of business for testifying at the hearing.

"Any vendor who testifies at this hearing will be given no chance to bid on a new location or to advance himself and can expect to lose his location in retaliation for testifying," Smith said.

Hopkins defended his administration of the state blind agency by claiming that 159 blind clients were rehabilitated in the first full year of the commission's operation. He defined rehabilitation as "successful completion of the clients' program toward a stated goal."

Hopkins said he also measures the success of his programs by the reduction from 21 percent to 6 percent of blind clients who go into sheltered workshops.

He reported the average income of rehabilitated blind clients at \$9,725 a year, an increase of more than \$2,000. He said that average didn't include two graduates of his program who now are earning \$80,000 and \$50,000 a year, because the two are not typical.

Hopkins said average vendor income has increased by \$5,000 in the past year.

He said that most of the damaging allegations against the commission concerning blind vendor Xavier Timmer occurred while the services for the blind were a part of the state Department of Social and Health Services.

But, Taller reminded Hopkins that he was director of the services for the blind at that time, also.

Asked by the legislators if he had recommendations for amending the act under

which the blind agency operates, Hopkins said careful attention should be paid to the rules permitting blind vendors to set up their own, private corporations.

Hopkins has been criticized for assisting Timmer in setting up such a private firm by leasing him government equipment and storage space in a state warehouse at Fircrest School for the Handicapped.

Hopkins said news reports about Timmer's involvement in a private teen club

that was closed as a front for prostitution has led to "insidious rumors that I had some relationship with Timmer in those activities and that I am a homosexual.

"I am not a homosexual and I have never been involved in any illegal activity, nor is my wife of 13 years a lesbian. I can only conclude that such rumors are intended to strip me of my position, action that cannot be accomplished by a full and fair review of the activities of the commission," the agency director declared.

The Blind Help Open Our Eyes

From The SEATTLE POST-INTELLIGENCER, December 17, 1979

Bucking tough odds is nothing new to blind people. Just doing things most of us take for granted—crossing a busy street, for example—can be frightening to some of them.

Yet, there were two threads that ran through the testimony the blind gave at the state legislative hearing held last week to investigate actions of the state Commission for the Blind.

One was the futility felt by blind vendors who operate food services in public buildings throughout the state. These people had thought they couldn't buck the state agency that was created to serve them and which dominates their lives. Their testimony showed they see the commission as an impregnable fortress controlled by an aristocratic clique that holds vendors in contempt. They believe, rightly or wrongly, that the commission is run dishonestly at worst and unfairly at best.

The second common thread in the testimony was the vendors' fear of the people who run the agency and dominate and intimidate the clients they are supposed to help.

Lori Engles' experience suggests some of

the fears of retaliation may be justified. Engles, the supervisor of the agency's vendor program, was suspended from her job and otherwise disciplined when she raised questions about apparent thefts of state equipment and the way commission officials conduct business.

A series of investigative articles in The Post-Intelligencer has sparked a much-needed airing of the commission's operation. State and federal auditors and attorneys general are looking at such irregularities as the disappearance of state-owned equipment and cash; possible misuse of state and federal property; possible favoritism in awarding contracts; charges of unfair personnel practices and treatment of blind vendors; and questionable loans and insurance payments.

Commission director Kenneth Hopkins has a great deal of explaining to do.

One particularly troubling situation is the Career Search contract program conducted by Edward Foscue at Seattle Central Community College. Foscue also was a member and former chairman of the Commission for the Blind. His program at SCCC was paid for with commission

funds and his top aide was the wife of commission director Hopkins.

Career Search has a staff of four full-time and several part-time employees and consultants and a budget of more than \$95,000. Yet it has served only 200 blind clients in two years and some of those were "served" with only one phone call. Records show that taxpayers spent \$10,000 for 10 student interviews that lasted no longer than an hour each. In another case, \$3,321 was paid for one blind student who was never enrolled in the program at all. Those blind people who got only a telephone call or a brief interview came to Career Search for help and, it appears, received little or nothing.

Officials have promised full investigations of all this and legislators say they will examine the commission again after budget and performance audits are complete. Citizens must hold them to these promises.

Blind Commission Still in Trouble

From The SEATTLE POST-INTELLIGENCER, December 26, 1979

Kenneth Hopkins, director of the State Commission for the Blind, finally pulled the plug on the expensive and ineffective Career Search program at Seattle Central Community College. But he did it for the wrong reason.

Hopkins announced last week that he had cancelled the program's \$90,000 contract and funding will stop at the end of the month. He did that, he said, because the college had released the names of Career Search clients and other information to a Post-Intelligencer reporter.

He did not mention that the head of Career Search is Edward Foscue, a member and former chairman of the state Commission for the Blind. He did not mention the

Even some of the blind commission's severest critics agree that providing services through the relatively new commission is a better way to deliver services than the agency system used before. But no government agency is better than the people who operate it.

And if any message came through at legislative hearings, it is that the blind vendors who testified think those who run the agency now are doing a terrible job of it.

Some of the fears the vendors expressed—that they will be driven out of business in retaliation for bucking agency executives, for example—may be exaggerated.

But it took courage for these vendors to stand up and square off against the powerful state agency that controls their ability to make a living. The heroism they demonstrate in getting through each day served them well and sets a high standard for the rest of us.

possible impropriety of Foscue wearing one hat as a commissioner who approves programs and another hat as head of an agency that gets its money from the commission. He did not mention the possible conflict of interest that exists because Hopkins' wife manages the Career Search program for Foscue at SCCC.

He did not mention P-I stories and testimony before a state legislative committee that the Career Search program spent as much as \$10,000 to serve 10 clients, who each got a \$1,000 hour-long interview. Other clients who went to the agency for help in finding a job got even less service, some only a telephone call. Records also showed that thousands of dollars were paid

to the program in 1977 for blind students who were not enrolled at Career Search at all or who had attended only a month. Staff and paid consultants at times outnumbered students.

And yet Hopkins could find no better reason to stop giving money to Career Search at SCCC than the charge that the college released some names of students—names that a P-I reporter already had obtained from other sources.

We're not surprised. Hopkins' action fits the revenge motif that ran through the House Committee on Government testimony given by blind vendors. The vendors, rightly or wrongly, disliked the commission and its director and said they were afraid to make complaints because the commission that controlled their livelihoods might retaliate.

Hopkins, who wields his commission power with the authoritarian air of a Duke of the Blind, should have blown the whistle on Career Search a long time ago. That he does so now without admitting its faults and tries to shift the blame where it doesn't belong tells us, more strongly than ever, that the state Commission for the Blind

needs a complete investigation and overhaul.

The House Committee on State Government released its report on the Commission for the Blind Saturday and laid into the commission for irregularities in operating programs, dealing with blind vendors, lease arrangements, money matters and personnel problems. The committee made seven recommendations for reform to the Legislature ranging from limiting the director's term of office to four years to reporting alleged illegal activities by commission staff members to the state auditor and attorney general.

Attorney General Slade Gorton responded that if laws have been violated, he will see to the consequences. Further, he said, if the commissioners are doing "a lousy job," Gov. Dixy Lee Ray should change them. "They are her people and it's her problem," Gorton said.

Commission Director Kenneth Hopkins' stated reason for cutting off Career Search at SCCC indicates he's not willing to take responsibility for cleaning up the Blind Commission mess. So Gov. Ray, Gorton and the Legislature will have to do the job for him.

UNITED AIRLINES' POLICY CONCERNING CANES

In view of the problems the blind of the nation have been experiencing with United Airlines concerning canes, we thought you might like to have the section from the *Flight Attendant Inflight Handbook* issued by United October 22, 1979. Observe that, although flight attendants are instructed to try to make blind persons surrender their canes, force is not to be used, nor is the blind person to be arrested. If, despite the

harassment, the blind person refuses to surrender the cane, then the flight attendant is instructed (this is official United Airlines' policy) to let the blind person keep the cane.

You may wish to carry a copy of this bulletin with you to help you deal with United personnel in case they try to bamboozle you or to misrepresent United's policy. The following is their own official policy:

UNITED AIRLINES**FLIGHT ATTENDANT INFLIGHT
HANDBOOK, SERIES 30
SAFETY, 30-4****BULLETIN #82 10/22/79**

Please remove bulletin #76 behind 30-4, Page 4 and insert this one facing 30-4, Page 5.

Record on Record of Bulletins.

Published for DENTK.

Issued by EXORG.

Effective immediately United personnel will again follow the Federal Regulation and United's internal procedures with respect to the white canes of blind persons. As with all other items of carry-on baggage, including objects such as crutches and fishing rods, the white canes must be safely stowed in a closet, garment bag or carry-on bag module prior to takeoff and landing.

Many blind persons utilize a telescopic cane which is capable of being collapsed and secured in a purse or seat back. This method of stowage is acceptable.

You are reminded that we must insure that each blind passenger receive the predeparture briefing required by Federal Regulations and United's procedures.

Every reasonable effort, other than physical force or the use of law enforcement officers, will be made to obtain the voluntary surrender of white canes from blind persons. In the event that, in spite of these ef-

forts, a blind person refuses to surrender a cane, prior to takeoff or landing, the following action should be taken:

The blind person will be specifically advised that the refusal constitutes a failure to comply with the federal regulations requiring the proper stowage of carry on articles, and is contrary to federal law prohibiting interference with flight crew members and flight attendants in the performance of their duties. The passenger should be told that the violation could subject them to civil and criminal penalties and that United must report the incident to federal government authorities.

Then, the flight attendant should instruct the passenger to place the cane along the side wall of the airplane (between outboard seat and fuselage), or under seats in front of them, or on the floor pushed up against the seats forward of the passenger (not protruding into the aisle).

Once this has been accomplished, the flight attendant should report the incident immediately to the Captain.

NOTE: 4 airplanes used as "Reno Shuttle" (P/N N7060U - 63U) do not have baggage modules. Therefore, lavatories have been approved for storing canes and crutches during takeoff and landing.

30-4-5

Bltin. #82

WHAT CAN I DO TO HELP?

by HAL BLEAKLEY

Chairman Deferred Giving Committee

Many times, in the midst of a critical issue, a Federationist will say, "What can I do to help?" There are a lot of ways in which we all can help to advance the work of the NFB in behalf of blind Americans. Here are a few very specific ways that we can help, no matter who we are, where we are, or what our circumstances are.

Times change; the issues change; but one thing never changes—the struggle for first class citizenship. That takes money and we have learned that we must look to our own efforts to raise most of it. The need goes on, and will go on down through the years, if we expect the lives of blind persons in the next generation to be better than ours. Most of us are not in a position to go out and raise a million dollars, let alone ten or eleven million. But, each of us has the ability and the opportunity to do a few simple things that will produce that kind of money for the work of the NFB.

We all need a will so that we can make sure that those we love will receive the maximum from our estate, no matter how small that estate may be. One thing we can do is write the NFB into our will. If 10,000 Federationists included the NFB in their wills for only \$100.00 each, the NFB would ultimately receive one million dollars.

Each of us knows at least ten people—relatives, friends, business associates, acquaintances, etc. If ten thousand Federationists each persuaded only ten other people to include the NFB in their will and each of them included the NFB for only \$100.00, the NFB would ultimately receive eleven million dollars.

That money would be "endowment

funds". Organizations usually invest endowment funds. This eleven million dollars, invested even at only 6% interest, would bring the NFB \$660,000 per year to improve the quality of life of the blind of the nation. What a help that would be. Each of us certainly can write the NFB into our will for at least \$100.00 and persuade at least ten others to do the same.

Insurance is another way we can help—each of us. Many of us have insurance policies. We can include the NFB as one of the beneficiaries. Again, \$100.00 each, by 10,000 Federationists, means one million dollars to the NFB. Most of our relatives, friends, business associates and acquaintances also have insurance policies. Here's the eleven million dollars, again, if 10,000 Federationists each persuade ten other people to include the NFB in their insurance policies for only \$100.00.

How do you talk to other people about this? It's not difficult. Tell them what the NFB is all about—our white cane problem on airplanes, our fight to get minimum wage, the need for better services to blind persons. Give them a copy of our deferred giving brochure and "What Is The NFB". Above all, ask them to include the NFB in their will and as a beneficiary in their insurance policy. When they say they will do this, send us their name and address.

Do you do business with a bank? Do you have a savings account or a checking account? If you do, go in and see the trust officer. Tell him about the NFB. Give him the deferred giving brochure and "What Is The NFB?". He'll thank you. He may never have heard of us and you will have educated him. More than that, you probably

will have started the ball rolling that, sooner or later, will result in a bequest to the NFB of a lot more than \$100.00. We don't mean that we or our relatives and friends should include the NFB in wills and insurance policies for only \$100.00. But, look at what even that small amount means when a lot of people act.

There are agencies for the blind that have more than thirty million dollars in their en-

dowment, earning at least 6% per year. If they can do it so can we. But it won't happen by itself. We have to make it happen. "What Can I Do to Help?" There are a couple of little things that you and I can do, no matter who we are, where we are, or what our circumstances are. It's the individual grains of sand that make the white beach that stretches as far as the eye can see.

A LETTER FROM A NAC BOARD MEMBER: CONFIRMATION OF WHAT NAC HAS SO OFTEN DENIED

The National Accreditation Council for Agencies Serving the Blind and Visually Handicapped (NAC) repeatedly and proudly proclaims that it is very "professional" in its conduct—very ethical, very open, very non-political. It says that it administers its standards with fairness—that all it seeks is "quality services" for the blind. At its meeting in Oklahoma City in November of 1979 NAC passed a resolution saying that it refused to recognize or deal with the national leaders of the NFB because those leaders were "irresponsible" and did not favor "quality services."

On the other hand, we of the Federation have always said that we favor quality services and improved standards for agencies working with the blind, which is precisely why we oppose NAC and feel that it must be reformed. We have repeatedly said (and offered facts to show) that NAC operates not as an ethical, "professional" standard-seeking body but as an axgrinding, power seeking, ward healing political group seeking absolute control over the lives of the nation's blind and the agencies that are established to provide service to them.

Sometimes the conduct of NAC is even more than its own board members can stomach. Consider, for instance, the fol-

lowing letter written by one of NAC's own board members to the remainder of those on the board. It tells us much and implies a great deal more:

Cincinnati, Ohio
November 3, 1979

Dear Fellow Board Members of NAC,

Since the COMSTAC days when I served on several committees to establish standards, through that exciting moment when Arthur Brandon rapped the gavel and said "I declare the National Accreditation Council to exist," I have been deeply committed to the principle of accreditation in general and to the National Accreditation Council in particular. I feel also that I had some effect in bringing the two organizations on whose Boards I sit into closer relationship with NAC: the National Braille Association as a Sponsoring Member and Clovernook Home and School for the Blind as an Accredited Member.

Clearly no one can always be in agreement with the policies and actions of an organization. I have found myself in opposition to decisions of NAC, its Board and some of its committees on a number of occasions, and regarded this as only healthy

dissension and the bringing of an opposite view to bear on the total activity of NAC. However, this "opposite view" can only be helpful if it ever results in effective change.

I have lived with criticisms of NAC from the field and have made every effort to refute them, but increasingly I have felt that there is truth in the criticisms and that we as a Board have looked the other way and allowed ourselves to become only a rubber stamp. Chief criticisms are:

- 1) NAC accredits agencies that have not properly met our own standards.
- 2) No accreditation system can be effective and equitable when it involves one professional person's passing judgment on the work of a colleague in a similar position to his. Such an arrangement is fraught with all the dangers of an "old boy" network.
- 3) NAC is run by staff and the Board is only a puppet.
- 4) We allow NFB to make all the ground rules for our actions and we respond to them, rather than devoting our energies to the positive pursuits of our own business.

I have felt the part-truth of these allegations but believed that the benefits of NAC's work far outweighed these negative attitudes. Nonetheless, I feel it is wrong not to attempt to deal with these matters in some constructive way.

Examples #1 and #2 mean to me that we should reevaluate our program and our methods of application. Could we not consider recruiting professional persons in social work and related fields to assist in on-site visits so that we are not encouraging a situation in which it is almost impossible for someone in one blindness agency to make a negative judgment on the work of a friend.

Examples #3 and #4 are typified most clearly by some recent events which I feel the Board should know.

For several years I have been a member of the Nominating Committee. A little over a year ago I pointed out that there was no provision in our Bylaws for an orderly succession to the Presidency in the event a President should become unable to serve. I therefore suggested a numbering of the Vice Presidents so that there could be a clear system of succession. Subsequently Article VI, Section 1 was amended to reflect this thinking.

This past September the Nominating Committee met and when time came for the discussion of a candidate for President, the Committee Chairman, who is also the First Vice President, read a letter he had received from the NAC President. The President stated in the letter that it was his feeling that "at this time" it was advisable for NAC to have a blind person as President, and *named his choice* for that office. Similarly, his choice for President had *named his successor for the position currently held by him*. I have served on a number of Boards, local and national, and I have never known a President to take such blatant steps to influence a Nominating Committee. Consider also that this is a Nominating Committee appointed by that President, not elected by either the Board or the membership.

Perhaps the President, as any other member, might make a suggestion to the Nominating Committee that a blind person would be an appropriate choice, but even this indicates the very compliance with NFB's rules of the game for which we are criticized. I have consulted with two national parliamentarians, both of whom expressed shock that an organization would permit a President to tamper with a Nominating Committee, one saying it was

“highly improper” and the other “most unethical.”

At the time of the reading of the letter my colleagues on the Nominating Committee, all blind, appeared to be quite stunned by the President’s action, and indeed some of them told me so personally after the meeting. Curiously, by the time we reconvened the following day, apparently they had all changed their minds.

Prior to taking the vote on the second day certain questions were directed by members of the Committee to the staff member present. While it is certainly necessary to have staff in attendance to report on the service record of any person under consideration, in this case it is my opinion that questions were answered in a prejudicial way. It would have been a great deal more becoming, as well as proper, had staff declined to reply to any questions to which an answer must influence a vote. Once again, a clear case of “run by staff” and Committee “only a puppet.”

Please understand that this is in no way a criticism of the candidate himself. I have the utmost respect and a good deal of per-

sonal affection for him. It is also in no way meant only to convey my disappointment that a Nominating Committee would pass over the man who held the position of First Vice President, and has served the organization in many capacities with the greatest distinction. I wish only to express my own distress that a President can appoint a committee and then tell it what to do, and that a committee itself will yield to such pressures.

I regret the length of this letter, but inasmuch as I could not be in Oklahoma City to speak to you myself this seemed to be the only way.

The Board constitutes the leadership of NAC. Can we not in some way recognize and deal with these situations and problems that make me, for one, no longer as proud as I once was to be a member. I hope I am not alone in this regard.

Sincerely,
Mrs. Lawrence M. Levine

cc: Dr. Richard Bleecker
Mr. Carl Augusto
Ms. Cheryl Sandler

ALABAMA SHENANIGANS: INVESTIGATIONS AND INDICTMENTS

by PEGGY PINDER

The blind of this country have long been familiar with the special, peculiar arithmetic used by professionals in work with the blind. The rules for using the professionals’ arithmetic are simple. They run like this: 1. Raise millions in charitable contributions from the public by saying you are going to help the poor blind. 2. Accept millions in tax dollars, saying you are going to help the poor blind. 3. Spend with sufficient liberality so that you have no money left at the

end of the year or even owe a little here and there. 4. Important: Don’t lavish too much on wages, working conditions, or competitive employment for the blind. Better to spend for diagnostic or psychological services or recreation programs. After all, the blind must be poor again next year when you need the “poor” blind to raise money for. 5. And note well: Professional services are very expensive. You can expect to receive gratitude from the blind and respect

from sighted friends and neighbors for rendering them. And should receive . . . well, all that money has to be spent somewhere.

This professionals' arithmetic has been used for years in work with the blind. It has added up very often to little service and few results for blind people. But in the past year, a new set of people have been adding up the figures in work with the blind and coming up with a different set of totals. These figures are shocking to ponder and they demand reform of the agencies which created them. First, there was New York, where eating in fancy restaurants, driving fancy cars and buying liquor and jewelry with agency funds had become ordinary, everyday occurrences. In fact, this luxurious living had become so routine that agency officials defended it as being commonplace and necessary.

Now come the first revelations from the state of Alabama where there is an ongoing federal investigation into allegations that corruption is rampant among Alabama's rehabilitation officials. On August 3, 1979, the first arrest of an Alabama rehabilitation official occurred. On that historic day, Mr. Carlice Flowers, former director of the Southeast Alabama Rehabilitation Center, was arrested at his home after a federal grand jury in Montgomery handed up a 12-count criminal indictment against him. Flowers was arraigned on August 10 and pleaded not guilty to the dozen charges of fraudulent recordkeeping and personal use of public funds. Government officials in the South, who asked not to be identified, say that investigators are continuing their inquiries into the activities of other persons connected with rehabilitation in Alabama.

A second historic day occurred on November 15, 1979. Flowers was permitted to plead guilty to one of the 12 charges brought against him. The judge sentenced

Flowers to a two-year sentence. Then he suspended the sentence and ordered Flowers to serve four months in a federal prison. Flowers entered federal custody to begin serving his sentence on November 15. In cases such as these, where a defendant is allowed to plead guilty to one count, he or she often also agrees to "talk", to help the prosecutor in locating and bringing other offenders to justice.

The Alabama story unfolded like this: Most of Alabama's services to blind persons are provided through the Alabama Institute for the Blind in Talladega where a large workshop for the blind is located. The state also uses some of its state and federal rehabilitation money to purchase services from private organizations such as the Southeast Alabama Rehabilitation Center in Dothan. The Dothan facility, operated by Easter Seals, has a sheltered workshop, called Newhope Industries, as well as housing the state's vocational rehabilitation offices for the southeastern part of the state. The Center raises about ten percent of its million-dollar-a-year budget from public contributions, generates about forty percent of its income through sales of workshop products, and receives the remaining fifty percent of its budget in state and federal rehabilitation money.

The uncovering of widespread questionable practices in Alabama's rehabilitation community began in 1976 when HEW auditors commenced a routine audit on the state's use of its federal rehabilitation funds. Some private agencies from which the state purchased services, such as Southeast Alabama, were included in the audit. The auditors discovered a number of questionable practices at Dothan which they turned over to HEW's Office of Investigations in the Atlanta regional office for further study. The Atlanta office continued to investigate until May of 1978. Last sum-

mer, HEW turned all files and records in the case over to Mr. Barry Teague, the United States Attorney in Montgomery. Justice Department attorneys continued to investigate until July 31, 1979, when the prosecutor presented his case against Flowers to the federal grand jury. The grand jury indicted Flowers, charging him with twelve counts of filing false records and of appropriating public money for his own personal use.

At Flowers' arraignment on August 10, Federal Judge Robert Varner apparently had noted the gravity of this particular case. In the other arraignments which he conducted that day, Judge Varner merely read general language to the defendant and asked for his plea. In Flowers' case, the judge slowly and carefully read each separate count and then asked for the defendant's plea. Flowers pleaded not guilty.

U.S. Attorney Teague, quoted in local press accounts of the indictment and arrest, explained that investigations like this one are "the government's way of combatting white-collar crime within its own ranks and the abuse of government programs by recipients."

Judge Varner noted Flowers' plea and then set his trial date. Jury selection for the Flowers trial began October 1, 1979. Flowers' defense attorney was a former lieutenant governor of the state of Alabama.

In the 12-count indictment, the grand jury charged Flowers with several different kinds of fraudulent behavior. For example: "From on or about the fifteenth day of October, 1976 until on or about the ninth day of May, 1978, at Dothan in the Middle District of Alabama, Carlice E. Flowers did knowingly and willfully make and cause to be made a false, fictitious, and fraudulent statement and representation as to material facts in a matter within the jurisdiction of

the Department of Health, Education, and Welfare, a department of the United States, in that Carlice E. Flowers did knowingly and willfully make and cause to be made a false, fictitious, and fraudulent entry into the books and records of the Southeast Alabama Rehabilitation Center reflecting legitimate food purchases of \$799.62 when, in truth and fact, as Carlice E. Flowers then well knew, such statement, representation, and entry was false, fictitious, and fraudulent when made. . ."

In other words, during the period under investigation, the grand jury charged, Flowers used agency money to purchase food which he said was for agency use. Apparently it was not. The seafood and steaks and other food items which Flowers purchased were apparently bought for his own personal use and for the gratification of his friends who doubtless had many a pleasant dinner with their generous host.

Other items in the Center's books apparently indicate that Flowers' generosity was far more expansive than the four corners of his dinner table. The agency's books contain expensive accounts for trips taken by Flowers which have no apparent relationship to the rehabilitation center's programs. The expense accounts show that Flowers went to Panama City, Florida, a location where he would be unlikely to find many of his Alabama clients. Panama City is, however, known as a haven for fishermen. The Center's books and careful investigation revealed that Flowers apparently presented two claims for the expenses he incurred on trips. For example, he would apparently draw a travel advance before leaving on a trip. He then would pay for the trip by using his American Express credit card. He would keep the travel advance and would also turn in the credit card receipts upon which he would be reimbursed. In effect, the agency paid for the same trip

twice, once before Flowers left and once after he returned.

The indictment charges Flowers with making five fraudulent entries in the books for conference and convention expenditures totalling \$798.66 and with one fraudulent travel advance entry of \$1,050. Two false entries for contract expense expenditures totalling \$387.86 for sub-contracting expenses and professional fees and \$511.05 for equipment rental and services, are also charges. These expenditures, totalling \$3,987.57, were, the grand jury charged, all fraudulent—apparently all went for Flowers' own personal use.

The types of behavior described up to this point are familiar to anyone generally aware of the growing white-collar crime statistics. Such practices are not condoned by the law but they are becoming much more common. Another practice of Flowers, for which the grand jury indicted him, is probably equally as common and its revelation is particularly apt in this time when the whole workshop system is on the verge of reform. Newhope Industries, part of the program which Flowers administered, is a sheltered workshop. Forty percent of the plant's work force is blind. The plant is Alabama's second-largest manufacturer of blind-made brooms, exceeded only by the plant in Talladega. The Dothan plant brings in about \$400,000 in gross reported sales, but volume is apparently somewhat larger. Investigators, in checking the quantity of items made against the quantity of items sold, found a discrepancy. The plant reported making far more brooms and mops than it reported selling. A little more investigation and some visual observation provided an explanation: Apparently, private customers of Flowers would drive up to the loading dock in back, indicate what type and what quantity of broom they wanted, pay for the merchan-

dise in cash and drive off. Some of these transactions were apparently never reported on the Center's books and the cash apparently entered Flowers' pocket, never to appear again in the books of the agency or as income to Flowers. The grand jury charged Flowers with participation in nearly \$3,800 worth of such transactions.

One man in Alabama (Mr. Flowers) has already been arrested, charged, and convicted of abusing his trust and misusing funds meant to assist the handicapped. But the investigation in Alabama was much broader than the Southeast Alabama Rehabilitation Center. In fact, it focused on the state of Alabama's division of vocational rehabilitation. The investigation is still ongoing. Many questions are left unanswered by the indictment and conviction of a single man down in the corner of the state. For example, who in the state government permitted this pattern of apparently fraudulent bookkeeping to go unchallenged for so long? Who sat around Flowers' well-stocked dinner table? Whom did he entertain in the fisherman's haven of Panama City? Who bought those missing brooms and mops, bought them quietly and bought them for unreachable cash? Do the federal investigators have more information and will more indictments follow? Some in Alabama think so and think that the investigation may reach into the staff of the state vocational rehabilitation agency and even into the haven of professionals, the Alabama Institute for the Blind in Talladega.

Rumors have circulated now for several years in Talladega about secret sweetheart deals between a local bank and the Institute. The Institute was recently compelled to place its substantial bank deposits in the open market so that any bank could bid for its business. Until recently, the local bank and the Institute, whose boards of directors

overlap, had followed a consistent, informal practice under which the Institute simply always deposited all its funds in the bank. Institute personnel have also recently been chastised by Alabama's state ethics commission for conflicts of interest. Clients of the Institute were being housed in duplexes owned by Fred Hughston, director of vocational education at the Institute. Furniture owned by the state was being used to furnish Hughston's duplexes. Hughston was using state employees to collect the rent from clients. But the duplexes were owned by Hughston personally and he was personally profiting from their rental. Other charges were brought against Hughston before the ethics commission, but they were never heard because the principal witness declined to testify. Around the same time, the witness acquired two new cars.

The tangled affairs and the professionals' arithmetic used by Alabama's rehabilitation professionals make sad, sad reading indeed; but the blind of Alabama are organized. They intend to have a say in affairs affecting their lives. When Federation leaders in Alabama proclaimed the sorry state of Alabama's services from the steps of the state capitol, the professionals jeered. They said charges of widespread misconduct were not true and claimed that Federation

leaders had lost their following. Today, investigators are looking at the professionals and the federal grand jury is indicting for misconduct.

Euclid Raines and the other members of the NFB of Alabama will now have a voice in planning and administering programs for the blind. Professionals' arithmetic has shown itself unworthy to account for services. The blind of Alabama, like the blind of other states, are marching up the stairway to freedom. They are changing the image of blindness. They are demanding the respect of their fellow citizens. And they are helping to root out the demeaning, degrading, corrupt practices which have all too often been tolerated in work with the blind. Under the leadership of a strong NFB of Alabama, these vestiges of yesterday's attitudes toward blindness will be swept away and the last few stairs to freedom will be climbed in pride. Is it any wonder that NAC and some of the other professionals in the field resent the National Federation of the Blind and wish we would simply be quiet and phase into the woodwork? As with minimum wages for blind workers, and with the workshops, Federationists in Alabama are taking a hand in their own destiny. For we know who we are, and we intend to go forward.

FROM THE PRESIDENT'S MAILBASKET

Framingham, Massachusetts
November 29, 1979

Dear Dr. Jernigan:

In his new play entitled "Romantic Comedy," author Bernard Slade uses the following line, delivered from male protagonist to female protagonist: "Who dressed you? George Shearing?" The drama critic for *Newsweek* rightly condemned this in-

sult to all blind people in general and to a great blind musician in the November 19 issue of the magazine.

I think more should be done. I am enclosing a copy of a letter I have written to Mr. Slade. Would you see to it that the NFB gets on this man's case as it did so well in the episode with Dr. Joseph Hendrie of the NRC following Three Mile Island? Anything you can do along that line will be appreciated by

me and thousands of others among the blind of America.

Very truly yours,
Alan Clive

Framingham, Massachusetts
November 28, 1979

Mr. Bernard Slade
Los Angeles, California

Dear Mr. Slade:

According to *Newsweek* magazine, your play "Romantic Comedy" contains the following line, delivered by male protagonist to female protagonist: "Who dressed you? George Shearing?" I regret having to write you about this matter, but necessity impels. Those of us who are blind no longer will allow people like you to get away with your slights and indignities uncensured.

Just who do you think dresses George Shearing? Do you think any blind person can dress properly? And what does that line say about your general attitude toward the blind? Do you think they can type, can write, can work?

But you might reply, "It was a joke/ You people are too sensitive." No more sensitive,

I suspect, than a black or a woman would be about a line in a play thoughtlessly and gratuitously racist or sexist in nature. George Shearing is secure in the affection and esteem of music lovers around the world. He will not be harmed by your cruelty. But thousands of blind people will suffer through your reinforcement of yet another stereotype.

Of course, sadly, it doesn't surprise me. Yesterday I was in Philadelphia (yes, the blind can actually travel by themselves) to do some research for a book I'm currently working on. As I signed in at the archive, the woman desk attendant could not help but express her astonishment that I could write my own name.

What I wish of you is (1) if your play is still running, that the above-quoted line be excised, and (2) that you make a public apology to the blind of America. A letter to the *New York Times* will be sufficient, I think.

I wish it were possible to be charitable or forgiving in closing, but the day of easy forgiveness is over. I hope I will not have occasion to write another such letter to you.

Very truly yours,
Alan Clive

NFB ASSOCIATE UPDATE: 9 EXCUSES FOR NOT GETTING ASSOCIATE CONTRIBUTIONS

by TRISH MILLER, Chairperson, NFB Committee on Associates

Being a member of the National Federation of the Blind teaches many of us many things: how to believe in our own capacities, how to work effectively with legislators, how to educate the public well, how to make speeches, how to organize committees and keep meetings going smoothly, and, among many other skills, how to do effective fundraising.

238 Federationists have learned how to get associate contributions for our movement. In the process we have learned how to find more opportunities for educating the public about blindness and the NFB and how to present a positive image of blind persons while asking people for contributions. We have learned that getting associates need not involve any sob appeal

or invoke the image of the blind beggar. Between June 1, 1979 and January 27, 1980, we have proudly raised \$24,539 from 1318 associate contributions. We have also raised \$259.25 in contributions of less than \$10 brought in on associate forms.

This income has been sufficient for us to authorize our lawyer to proceed with the Cincinnati and Houston sheltered shop unionizing cases. Looking at it in another way, it has paid for two monthly issues of the *Braille Monitor*, both disc and print editions, plus the presidential releases for the year. It's time the rest of you Federationists got your feet wet, took the plunge, and started carrying associate forms around in your pockets and getting contributions! If you did so, you would learn, as the rest of us have, that all your excuses don't hold water.

Excuse #1 is "I don't have enough time." That's a good one, except that many of us have gotten associate contributions while waiting for a prescription at our local drug store or while talking on the bus with a curious fellow commuter on the way to work. Excuse #2 is "I don't like to ask people for money." No, and most people don't like to fight in wars or make personal sacrifices either, but would you be willing to do it for something you really believe in? The 238 of us have each found one or several ways of asking people for money that we feel good and proud about, and we are doing it successfully—sending associate forms with our Christmas cards, or initiating associate projects as a chapter, or inviting our friends and local businesspeople to make contributions that will help blind people change what it means to be blind. Find your own way that works.

Excuse #3 is "All my relatives and friends are poor." One Federationist seems to have gotten his young cousins together to talk about how the NFB is important to

him and other blind people, they each felt immensely proud to contribute a dollar, and they got quite an education related to blindness. Excuse #4 is "I don't know anyone who'd want to give to the NFB." Have you done your public education work? Educating the public is one of the major tasks of our movement. Striving for an associate ribbon at the next national convention is a great incentive to arrange to speak to your Sunday school class or local Lions Club. Karen Mayry, of South Dakota, got over 20 associate contributions last year by asking to have the floor for several minutes at a state meeting of her husband's fellow insurance agents. Remember, the people you don't ask to give contributions to the NFB are likely to continue to be giving money to NAC or the AFB or your local lighthouse instead. Who do we want to get those contributions?

Excuse #5 is "The national organization of the NFB doesn't need money that much. I will support just my local chapter." If you have not heard about all the court cases we must turn down, that would create more job opportunities for blind people, or if you don't know why we had to curtail the production of the *Monitor* in Braille, go talk with your state president. Those important projects that we must turn down due to financial limitations affect all of us. If you do not know why the founders of the NFB in 1940 knew from their own frustrating experiences that it is necessary to have a nation-wide organization, then read some of our literature about the history of the organized blind movement. Excuse #6 is "Fundraising should be left to the professional fundraisers, to the NFB leaders, to all those other 50,000 Federationists, not to me." According to this thinking, it is somehow O.K. to believe that our movement can function effectively, up in the clouds, without funds. The American

Foundation for the Blind and many agencies for the blind have professional fundraisers; why doesn't the NFB follow in their footsteps and the footsteps of those organizations for the handicapped that have schmaltzy telethons on TV? Because we believe that many types of fundraising, while the money would come pouring in, would make it much more difficult for blind people to get jobs. The NFB's major resource is and will continue to be our own people—contributing through the Preauthorized Check Plan and doing fundraising in other ways that don't cost us more in the long haul.

Excuse #7 is "I can't get associates because I'm sighted and, since I don't carry a cane, the conversational topic of blindness and the NFB never comes up." That would be a fairly good excuse except that Gail Flateau, a sighted member of the NFB from Florida, already proved it wrong by getting hundreds of associate contributions in the last two years. Excuse #8 is "I'm blind and I can't get associates because signing the forms is inconvenient (or some other corny reason)." What do you think about that excuse? Sandy Sanderson, of Alaska, along with many others, has demonstrated the flimsiness of that excuse by getting 85 associates totaling \$1252 since last June.

Excuse #9 is the following: "I'm basically lazy and the NFB just isn't all that important to me. I don't really care whether blind people have more opportunities or sheltered shop workers get paid decent wages, etc." Think about it. Does this excuse apply to you?

If I've omitted your favorite excuse for

not getting associate contributions for the NFB, please invent your own counter arguments. Each of us contributes to the Federation in our own ways, but we all are needed, urgently, to provide the financial resources for our organization to be on the move changing what it means to be blind.

In November of 1979, a renewal letter went out to each person who had made an associate contribution to the NFB. This was part of the educational literature that we send to members at large. Our return was about 5%; this means that we must be recontacting people who have made associate contributions in the past. Requests made face to face or in a note or on a card signed with a familiar name are most effective. You may give as a birthday, anniversary, Christmas, or other present an associate contribution in the name of your friend or relative.

At the 1980 convention will be two workshops on how to get associates. If you have ideas about the workshops or about associates, or desire information, or need associate forms, please write the national office. The winners of the 1979–1980 contest will be awarded the following prizes: \$1000 for first place, \$500 for the second place, \$200 for the third place, and \$100 for fourth place. The deadline for the contest is May 31, 1980. ALL associate forms must be in the treasurer's office or the National Office by that date in order to be counted for this year.

The following lists concern associates coming in from June 1, 1979 through January 27, 1980.

STATES, RANKED BY NUMBER OF ASSOCIATES, JANUARY 27, 1980

Rank	State	Number of Recruiters	Number of Associates	Amount of Associate Income
1	Maryland	26	210	\$4158
2	Alaska	5	165	\$2270
3	Florida	3	91	\$1816
4	Iowa	15	79	\$1243
5	Illinois	15	67	\$1157
6	California	10	65	\$1275
7	Ohio	11	55	\$1464
8	Missouri	11	52	\$ 772
9	Indiana	5	42	\$ 561
10	Pennsylvania	6	33	\$ 734
11	Nebraska	8	32	\$ 554
12	Michigan	9	30	\$ 523
13	New York	8	30	\$ 396
14	Arkansas	3	29	\$ 395
15	Colorado	13	28	\$ 563
16	Massachusetts	11	27	\$ 422
17	Alabama	3	26	\$ 393
18	Minnesota	8	22	\$ 380
19	Georgia	2	22	\$ 269
20	Texas	6	18	\$ 307
21	West Virginia	4	17	\$ 912
22	North Carolina	4	17	\$ 283
23	Kansas	4	16	\$ 470
24	Wisconsin	3	15	\$ 180
25	Louisiana	3	14	\$ 280
26	Connecticut	4	13	\$ 472
27	Mississippi	1	13	\$ 236
28	Idaho	5	13	\$ 208
29	South Carolina	4	13	\$ 155
30	South Dakota	2	11	\$ 181
31	New Hampshire	3	11	\$ 130
32	Oregon	5	8	\$ 662
33	Kentucky	2	6	\$ 75
34	Tennessee	2	4	\$ 70
35	Rhode Island	3	4	\$ 55
36	New Jersey	3	4	\$ 41
37	Washington, D.C.	2	3	\$ 220
38	Washington	1	3	\$ 70
39	New Mexico	1	2	\$ 21
40	Wyoming	1	2	\$ 20

41	Virginia	1	1	\$ 50
42	Arizona	1	1	\$ 25
43	Montana	1	1	\$ 25
44	Utah	1	1	\$ 25
45	Oklahoma	1	1	\$ 11
46	Vermont	1	1	\$ 10

States With No Associates: Delaware, North Dakota, Hawaii, Maine, Nevada

TOTALS: 238 known recruiters, 1318 associates, \$24,539

FEDERATIONISTS, LISTED BY NUMBER OF ASSOCIATES

1	Sandy Sanderson, Alaska	85	\$1252	24	Al Evans, Mass.	13	\$ 160
2	Gail Fleteau, Fla.	83	\$1735	25	Sue Micich, Wis.	13	\$ 160
3	Darrell Nather, Alaska	53	\$ 676	26	Anna K. Jernigan, Md.	12	\$ 332
4	Verla Kirsch, Ia.	31	\$ 405	27	Steve Machalow, Md.	12	\$ 230
5	Sharon Gold, Cal.	28	\$ 685	28	Cathlene Nusser, Neb.	12	\$ 195
6	Ron Burt, Ind.	25	\$ 305	29	Dale Hamm, Alabama	12	\$ 135
7	Lee Hagmeier, Ak.	25	\$ 305	30	Allen Schaefer, Ill.	11	\$ 270
8	Rhoda Dower, Mo.	25	\$ 297	31	Karen Mayry, S.D.	10	\$ 166
9	Trish Miller, Md.	20	\$ 401	32	Susie Stanzel, Ks.	10	\$ 120
10	Carl Conner, Ark.	20	\$ 200	33	Hank LaBonne, La.	9	\$ 227
11	Bill Munck, Md.	18	\$ 254	34	Charles Erickson, Ia.	9	\$ 192
12	Alan Glickman, Ill.	18	\$ 180	35	Mary McDonough, Cal.	9	\$ 135
13	Kenneth Jernigan, Md.	17	\$ 436	36	Jesse Williamson, N.C.	9	\$ 129
14	Earl Jackson, Pa.	17	\$ 180	37	Lucy Dattoli, W. Va.	8	\$ 571
15	Al Maneki, Md.	16	\$ 466	38	Searcy Ewell, Ark.	8	\$ 185
16	Ehab Yamini, Ga.	15	\$ 180	39	Tom Bozikis, Ind.	8	\$ 151
17	Ruth A. Schaefer, Ill.	14	\$ 275	40	Tom Stevens, Mo.	8	\$ 145
18-19	Jim & Sharon Omvig, Md.	28	\$ 482	41	Pat Gormley, Md.	8	\$ 126
20	Marc Maurer, Md.	14	\$ 185	42	Tom Mills, Alabama	8	\$ 103
21	Barbara Pierce, Ohio	13	\$ 288	43	Cheryl Finley, Ia.	8	\$ 95
22	Bob Eschbach, Ohio	13	\$ 277				
23	E. U. Parker, Miss.	13	\$ 236				

44	Charles Masterton, N.Y.	8	\$ 90	74	Reni Jackson, Ky.	5	\$ 65
45	Mary Ellen Anderson, Md.	7	\$ 220	75	Thurmann Hill, Texas	5	\$ 52
46	Mary Ellen Reihing, Neb.	7	\$ 128	76	Sharlene Czaja, Ill.	5	\$ 51
47	Marla Williams, Md.	7	\$ 112	77	Sheila Byrd, S.C.	5	\$ 50
48	Ralph & Judy Sanders, Md.	14	\$ 216	78	Reba Hancock, S.C.	5	\$ 50
50	Larry Streeter, Texas	7	\$ 105	79	Bertie Poehner, Ind.	5	\$ 50
51	Max Parker, Ga.	7	\$ 89	80	Dick Edlund, Ks.	4	\$ 275
52	Ed Meskys, N.H.	7	\$ 75	81	Jim Mitchell, Mich.	4	\$ 130
53	Steve Handshu, Mich.	7	\$ 71	82	Peggy Pinder, Ia.	4	\$ 95
54	Terry Harris, Idaho	7	\$ 71	83	Fred Schroeder, Neb.	4	\$ 95
55	Mary Irons, Pa.	7	\$ 70	84	Diane McGeorge, Colo.	4	\$ 86
56	Pat Eschbach, Ohio	6	\$ 241	85	Rami Rabby, N.Y.	4	\$ 80
57	Ramona Walhof, Md.	6	\$ 182	86	Peggy Woodward, Colo.	4	\$ 56
58	Vera Jones, Alabama	6	\$ 155	87	Ruth Bivens, Ill.	4	\$ 55
59	Al Harris, Mich.	6	\$ 105	88	Louis Lucero, Cal.	4	\$ 45
60	Ron Metenyi, Md.	6	\$ 77	89	Arthur Tackman III, NY	4	\$ 44
61	Lillian O'Day, Mich.	6	\$ 77	90	Margot Downey, La.	4	\$ 43
62	Tami Dodd, Ia.	6	\$ 60	91	Robert Bockerstett, Mo.	4	\$ 40
63	Pauline Murphy, Mo.	6	\$ 60	92	Jim Fox, Md.	4	\$ 40
64	Sheryl Pickering, Cal.	6	\$ 60	93	Sue Haynie, Md.	4	\$ 40
65	Dick Porter, W. Va.	5	\$ 210	94	Art Segal, Pa.	3	\$ 410
66	Sheila Samson, Ohio	5	\$ 165	95	Howard May, Conn.	3	\$ 312
67	Jim Shaffer, Minn.	5	\$ 97	96	Jerry Pittman, Md.	3	\$ 136
68	Mary Main, Conn.	5	\$ 95	97	Mike Hingson, Mass.	3	\$ 135
69	Peggy & Curt Chong, Minn.	10	\$ 172	98	David Samson, Ohio	3	\$ 100
71	John Knall, Ohio	5	\$ 84	99	Jim Willows, Cal.	3	\$ 85
72	Jim Glaza, Ia.	5	\$ 80	100	Marsha Bangert, Neb.	3	\$ 75
73	Clarita Golender, Md.	5	\$ 75	101	Dora Mae Dohbins, Cal.	3	\$ 70

102	Scott Lewis, Wash.	3	\$	70	130	Albert Sten, Mass.	2	\$	22
103	Eric Smith, Minn.	3	\$	70	131	Steve Benson, Ill.	2	\$	21
104	Lawrence	3	\$	60	132	Sharon Kelly, N.J.	2	\$	21
	Marcelino, Cal.				133	Linda Lopez de	2	\$	21
105	Hazel Staley, N.C.	3	\$	60		Miller, New			
106	Edith Kamrad,	3	\$	47		Mexico			
	Ohio				134	Max Aguilar, Wyo.	2	\$	20
107	Junerose Killian,	3	\$	45	135	Ed Beck, R.I.	2	\$	20
	Conn.				136	John Duffy, Colo.	2	\$	20
108	John Salvatore,	3	\$	45	137	Melba Galloway,	2	\$	20
	Ill.					Cal.			
109	Lev Williams,	3	\$	45	138	Gary Mackenstadt,	2	\$	20
	Tenn.					Mass.			
110	Jeanne Marie	3	\$	36	139	Donna Maglin,	2	\$	20
	Moore, Colo.					N.H.			
111	Ralph Wilkens,	3	\$	33	140	Pat Maurer, Md.	2	\$	20
	N.C.				141	Lynn McCallum,	2	\$	20
112	Stan Cox, Ore.	3	\$	32		Id.			
113	Barbara	3	\$	30	142	Hershell Moore,	2	\$	20
	Nabutovsky, Fla.					Mo.			
114	John Soehnel,	2	\$	125	143	Craig Olsen, Neb.	2	\$	20
	Ohio				144	George Russell,	2	\$	20
115	Cindy Martin, Ore.	2	\$	110		Texas			
116	Evelyn Scanavino,	2	\$	110	145	Moe Smeester,	2	\$	20
	Ill.					Colo.			
117	Diane Corson, Ia.	2	\$	100	146	Nick Whitney, Mo.	2	\$	20
118	Mary Ellen	2	\$	81	147	Curt Willoughby,	2	\$	20
	Halverson, Id.					Ia.			
119	Jean Agin, Md.	2	\$	60	148	Eileen Ward, Ore.	1	\$	500
120	Glenn McCoy, S.C.	2	\$	45	149	Julie Ann Dedin,	1	\$	150
121	Doris Willoughby,	2	\$	37		Colo.			
	Ia.				150	Prim Hackmann,	1	\$	100
122	Andy Hoffman,	2	\$	36		Mo.			
	Ohio				151	W. G. Stout, Texas	1	\$	100
123	Loretta France,	2	\$	35	152	Mabel Conder,	1	\$	50
	N.Y.					N.C.			
124	Lloyd Jernigan,	2	\$	35	153	Ruth Schroeder, Ia.	1	\$	50
	Mich.				154	Jana Sims, Mo.	1	\$	50
125	NFB of Denver	2	\$	35	155	Dean Stanzel, Ks.	1	\$	50
126	Rita Chernow,	2	\$	22	156	Evelyn Weckerly,	1	\$	50
	N.Y.					Mich.			
127	Reed Devlin, N.Y.	2	\$	22	157	Don & Pam	2	\$	75
128	Gtr. Pittsburgh	2	\$	22		Gillmore, Ill.			
	Chap.				159	Phyllis Fuller,	1	\$	27
129	David Stayer, N.Y.	2	\$	22		Alaska			

160	Virginia Coorey, Ohio	1	\$ 26	The remaining Federationists each have one \$10 associate.
161	Alan Alcorn, Ks.	1	\$ 25	188 Ruth Ashby, Colo.
162	John Ford, Mont.	1	\$ 25	189 Jackie Billie, Conn.
163	Premo Foranini, Utah	1	\$ 25	190 Thomas Blume, N.J.
164	Norm Gardner, Idaho	1	\$ 25	191 Louise Boudreau, R.I.
165	Joanne Giudicessi, Mass.	1	\$ 25	192 Rhonda Bozikis, Ind.
166	Jim Hudson, Colo.	1	\$ 25	193 H. J. Carlson, Alaska
167	Brian Johnson, Ill.	1	\$ 25	194 Glenn Crosby, Texas
168	Eric Koepflin, Mich.	1	\$ 25	195 Alan Dalton, Vt.
169	Paul Lorenson, Colo.	1	\$ 25	196 Buck Daniels, Ky.
170	Don McConnell, Cal.	1	\$ 25	197 Roger Drewicke, Minn.
171	Ray McGeorge, Colo.	1	\$ 25	198 Mary Drury, La.
172	Joe Money, Ind.	1	\$ 25	199 Charlene Elder, Ill.
173	Shirley Morris, Md.	1	\$ 25	200 Alpha Ennis, Ark.
174	Evelyn Ray, R.I.	1	\$ 25	201 Milford Force, N.J.
175	Victor Scheer, Ohio	1	\$ 25	202 Holly Frisch, Ill.
176	Franklin VanVliet, N.H.	1	\$ 25	203 Ari Gamliel, Mass.
177	Jerry Whittle, Tenn.	1	\$ 25	204 Carrie Harris, Cal.
178	Olivia Stalling, Mo.	1	\$ 20	205 Bertha Hartman, Mo.
179	Adrienne Asch, N.Y.	1	\$ 15	206 Kathy Howe, Wisc.
180	Black Hills Chap., S.D.	1	\$ 15	207 Dianne Huckaby, Ore.
181	Ray Lowder, Md.	1	\$ 12	208 Shelley Hutchison, Neb.
182	Lorraine Rovig, Ia.	1	\$ 12	209 Berneice Johnson, Ia.
183	Michael Adams, Neb.	1	\$ 11	210 Wayne Kerstetter, Pa.
184	Kathleen Chapman, Md.	1	\$ 11	211 Janet Lee, Minn.
185	Budd Little, Idaho	1	\$ 11	212 Denise Mackenstadt, Mass.
186	Gladys Porterfield, W. Va.	1	\$ 11	213 Herb Magin, Md.
187	Stewart Prost, Minn.	1	\$ 11	214 Ron Matias, Ill.
				215 Kathleen McGrew, Ore.
				216 John McNally, Fla.
				217 Roy Miller, Texas
				218 Sharon Monthei, Ia.
				219 Jim Moynihan, D.C.
				220 John Mullen, Mich.
				221 Phil Oliver, Mass.
				222 Willie Patterson, Mo.
				223 Leonard Payton, Ia.
				224 Joseph Phillips, Pa.
				225 Larry Posont, Mich.
				226 Bob Raisbeck, Wisc.
				227 Bob Ray, Ia.
				228 Cecelia Ross, Ill.
				229 Willis Saunders, W. Va.
				230 Linda Skroski, Colo.

231	Harold Snyder, Wash. D.C.	235	James Walker, Neb.
232	Stamford Chapter, Mass.	236	Sharon Waller, Mass.
233	Michael Szwipicki, Minn.	237	Olivina Whitaker, Mass.
234	Marshall Tucker, S.C.	238	Orville Williams, Colo.

ASSOCIATE TOTALS FROM JUNE 1, 1979 to JANUARY 27, 1980

238 known recruiters, 1318 associates, \$24,539.

STATE CONVENTIONS

CONNECTICUT

by LYNN GOLDEN

About 50 Connecticutites attended our annual convention which was held on Saturday, November 3 at the Sheraton Park Plaza Hotel in New Haven. We also had as guests Reed Devlin and his wife and baby from New York, and Tom, Ruth and Patty McGarity from Rhode Island, along with Rhode Island state president, Ken Brackett. Although our turnout was small in comparison to some past state conventions, our convention program was perhaps the best we have ever had.

Saturday morning was devoted to convention business—chapter reports, resolutions, and election. We passed three resolutions this year; they dealt with right-turn-on-red, nondrivers license identification cards, and the Susan B. Anthony dollar.

Regarding election, Jackie Billey of Manchester was elected first vice-president, replacing Peggy Pinder who has left the state. Nancy Johnston of Danbury was unanimously elected state treasurer, replacing Arthur Johnson who has moved to Florida. Betty Pacelli of Danbury was elected to the Board of Directors for one year, finishing out Jackie Billey's unexpired term. Mary Main of Stamford was re-elected to the Board for a two-year term, and Ben Snow of New Haven was newly elected to the Board for a two-year term. Our delegate to the national convention

will be our state president, Howard May, and Shirley Lee of Bridgeport will be the alternate delegate.

Also during the morning session, Jim Gashel, the representative from the National Office, brought us up-to-date on national legislation, and the current situation with the Minneapolis Society.

Jim spoke again during our midday banquet, and told us about some of his experiences as a student at the state school for the blind in Iowa.

Our afternoon session dealt with independence and the various means by which it can be achieved. Our first panel consisted of five blind persons who took a few minutes each and spoke about what independence meant to them, how they achieved independence. They also told us in what ways they felt they were not independent.

Our next panel consisted of Egil Nilsson of the Sons of Norway, Mr. William Patton who is director of the Board of Education and Services for the Blind (our state agency), Dr. Saul Friedman from the Center for Independent Living in New York City, and Jim Gashel. Mr. Nilsson discussed some of the programs undertaken by the Sons of Norway; they have made participation in sports a reality for many blind people.

Mr. Patton spoke about the new independent living center under construction in Connecticut, and Dr. Friedman told us

about the programs at the Center for Independent Living in New York. Jim Gashel spoke about the medically oriented blind center versus the type of blind center which fosters independence.

Throughout the convention there were many door prizes given away, and Lynn Golden says she really had fun being door prize chairman.

Ray Wylie, who was in charge of publicity for our convention, arranged for our state president, Howard May, to be interviewed by Channel 8 in New Haven, and this interview was broadcast on the late news.

Special thanks go to Ben Snow, general arrangements chairman, who helped to make our state convention in New Haven perhaps our best ever.

GEORGIA

by JESSE WILLIAMSON

The National Federation of the Blind of Georgia held its annual convention September 22 at the Ramada Inn in Savannah.

President Ehab Yamini gave the morning session to order at 9:30.

Rami Rabby represented the National Office.

Gil Clarey, a rehabilitation counselor, brought a report on what is available from vocational rehabilitation.

James Camp of the Georgia Cooperative Services for the Blind talked with us about the vending stand program in Georgia.

During the afternoon session, James Dyrnat of the Library for the Blind and Clayton Penhallegon, Director of the Georgia Factory, discussed their programs.

Walter Simmons of the Savannah Association for the Blind discussed his intentions to affiliate with NAC.

A representative from the Social Security district office brought us news about Social

Security benefits. There were many insightful questions and much lively discussion.

Jesse Williamson presented a report on fundraising. Elections were held for board positions. Norris Curtis of Atlanta was reelected for another two year term, and Eugene Brown of Brunswick was elected to a two year term.

Rami Rabby delivered the banquet address. His presentation emphasized the significance of our name National Federation of the Blind. He heightened the effectiveness of his speech with personal examples of what the Federation has meant to him.

ATLANTA CHAPTER ELECTIONS

The Atlanta chapter held its biennial elections on October 20th. Tommie Johnson was reelected President. Mrs. Evelyn Sullivan and Wayne High were elected First and Second Vice President respectively. Gwendolyn Pride was reelected Treasurer and Norris Curtis retained his position as Secretary. Nadie Rasool and Jesse Williamson were chosen to fill board positions.

NEW HAMPSHIRE

by ED MESKYS

The annual convention of the NFB of New Hampshire convened Friday evening, September 28, in the ballroom of the Ramada Inn in Concord, New Hampshire with a reception for Marc Maurer, our speaker from the National Office, and an exhibit of a new low vision computer terminal. The crowd was enthusiastic, and we had our best programming in the history of the affiliate. Saturday we had a report from our attorney, Mark Abremson, on our White Cane Law suit of an apartment house owner who had refused to rent to a member with a guide dog. The suit should set a major precedent in the state. We had excellent presentations on a variety of other matters throughout the day.

At the banquet Saturday evening we presented the Henry J. vanVliet memorial award—the 8th time in the history of our affiliate. This is our major award for service, which is only given when warranted. It had last been given in 1977 to Teresa Heron, and this year it went to our President Frank Snee, much to his surprise. In his three years as President he had revitalized the affiliate. After Marc Maurer's moving and humerous banquet address we retired to the hospitality suite where we talked until late into the night.

At our business meeting Sunday morning Donna Maglin became a member of the board, and Helen Hutchins was chosen as coordinator for the Concord chapter. Much of the remainder of our business meeting was spent updating our constitution.

The 1980 convention will be held in Manchester, New Hampshire, September 26–28.

(Note: Frank Snee resigned October 17 for reasons of health, and First Vice President Franklin vanVliet is now President.)

OHIO

by PAUL DRESSELL

Approximately 200 Federationists attended the 33rd annual NFB-O Convention, which was held October 12th-14th at the Netherland Hilton Hotel in Cincinnati. Convention theme was: "Young and old we join the fight; to reach our goals we set our sights." Various officials addressed themselves to the theme in terms of services being provided for children and senior citizens.

Ten resolutions were adopted by the convention: One commended the Capital Chapter (Columbus) for their role in exposing ineffective services provided by the Office for the Blind and Physically Handicapped at Ohio State University; this ex-

posure sparked an investigation by the Department of Health, Education and Welfare and the Department of Labor. Two resolutions expressed our concern about public transportation in Ohio; another resolution condemned the indiscriminate firing of employees by the Toledo Society for the Blind—a NAC accredited agency. One employee had 3 months to go before her retirement but was dismissed. Still another resolution condemned the recent action taken by the Cincinnati Association for the Blind in not complying with the decision handed down by NLRB and commended the Teamsters Local #100 for their unqualified support. Two more resolutions dealt with our affiliate's role in participating in the Consumer Affairs Advisory Council, and the final resolutions concerned improvements in Civil Service Testing and commended three reporters for exposing discrimination by a tour agency against a dog guide owner.

We were honored to have Joyce and Tom Scanlan representing the National Office, which made it convenient to submit our proxies for the Minneapolis Society. Joyce, in her banquet address, recounted the battle in and out of court that had been raging between NFB-Minnesota and the Minneapolis Society for the Blind. Brother John Soehnel of the Dayton Federation was awarded the Alfonso Smith Award; Monitor readers may remember an article that appeared about Brother John's jogging exploits, though he was in his sixties. Fontnae Doran of the Capital Chapter in Columbus was awarded the Sighted Federationist of the year award, and NFB-Lorain County won the outstanding affiliate award.

Helen Johnson of Toledo and Michael Justice of Springfield were elected to the Board. Next year's convention is expected to be in Lorain.

RECIPE OF THE MONTH

by CONNIE McCRAW

BARBECUED SPARERIBS

Wash and cut ribs into serving pieces. Drain and sprinkle liberally with tenderizer, salt, and pepper. If seasoned tenderizer is used, do not use salt. Lay in roasting pan. Ribs can be layered if pan is deep enough. With oven temperature at 225 degrees to 250 degrees allow ribs to cook slowly and thoroughly until almost tender, pouring off fat as it accumulates. (This will have to be poured off several times during the slow cooking.)

Remove ribs from oven and using a combination of plain and hickory smoked barbecue sauce, brush each rib well. Liberally saturate with sauce after brushing each piece, and cook with temperature still at 250 degrees until completely done. (Test with fork.) Remove from oven and serve.

Any cut of pork or beef can be used in place of spareribs.

(Note: I use bottled barbecue sauce. I find that Open Pit Hickory Smoked is almost as good as homemade. Second choice is Kraft. You may add hot sauce, cayenne pepper and other spices to suit taste.)

MONITOR MINIATURES □ □ □ □ □

□ Mr. Allen Ackley, an active member of the NFB, will overhaul or repair Perkins Braille Writers at a reasonable price. Contact Ackley Appliance Service, 627 E. 5th Street, Des Moines, Iowa 50316 or telephone (515) 288-3931. Mr. Ackley, Certified Braille Transcriber, first began to repair Braille Writers from curiosity about the machine and has become quite skilled in this work.

□ On May 2nd, 3rd and 4th under the auspices of the Piano Technicians Guild a gathering takes place at the Southfield Sheraton, located on Detroit's northern fringe. Special attention is being given to the problems and affairs of the visually impaired piano tuners particularly on the afternoon of May 2nd. For full particulars write to: Stanley Oliver, 1965 E. Outer Drive, Detroit, Michigan 48234. Phone (313) 891-9226.

□ Kurzweil Computer Products, the com-

pany that manufactures the print-to-voice reading machine, was purchased by the Xerox Corporation January 21, 1980 according to an announcement made by Ray Kurzweil, president of KCP. Mr. Kurzweil said that the Xerox purchase would mean that there would be an intensification in research, development, and marketing of the reading machine, as well as the talking computer terminal. In the long run, the stability and the financial resources of Xerox should result in more aids for the blind at less cost.

□ Mr. Douglas Boyd of College Park, Maryland teaches Karate and has a twelve-year-old student enrolled in one of his classes. Mr. Boyd would like to hear from blind individuals who have experience with Karate and from teachers who have taught martial arts to the blind. You may write Mr. Boyd at The Studio of Korean Karate, 9305 19th Avenue #102, Adelphi, Maryland 20783.

□ The 1977-78 U.S. Blind Correspondence Chess Champ Tournament Book is now available at \$9.00 per copy. Also, *Castle*, a publication in Braille dealing with chess for the blind. The subscription rate for *Castle* per annum is \$6.00. All remittances payable to: Gintautas Burba, 30 Snell Street, Brockton, Mass. 02401.

□ 1980 Braille calendars produced by the American Brotherhood for the Blind are available from the American Brotherhood for the Blind, 18440 Oxnard Street, Tazana, California 91356, or from the National Office of the NFB, 1800 Johnson Street, Baltimore, Maryland 21230.

□ From Scott H. Lewis, president of the NFB of Washington State: Blind and in Marketing? The University of Washington School of Business is conducting a survey of persons in the marketing field who are blind and employed. The UW would like information about adaptations and special equipment being used by blind marketing professionals, and information about the employer or industry. A blind UW Marketing student is compiling the report. Write or call Professor Lee McAllister, University of Washington School of Business, Seattle, WA 98105, (206) 543-4435.

□ The Greater Cumberland NFB of Maryland is sorry to give notice of the passing of one of the oldest members of Maryland and the National Federation of the Blind.

Mrs. H. Grace Davis, of the John F. Kennedy Homes, died November 3, 1979 in Memorial Hospital where she had been a patient for two days. She was born June 14, 1889.

Grace had been, earlier in life, a tight-wire performer with Barnum Bailey and Ringling Brothers Circus. She attended the last seven State and National Conventions and has been a hard worker for the NFB.

□ The National Braille Association announces the continuation of its Reader-

Transcriber Registry, which will accept all print materials for brailleing, with the exception of textbooks or highly technical manuals. Transcribing is done by braillists certified by the National Library Service, Library of Congress. You may send any print materials you feel would be helpful in work, recreation or daily living. Charges are 3 cents per brailled page, bindings included. Send all materials or inquiries to:

NBA Reader-Transcriber Registry
Mrs. Lawrence M. Levine, Chairman
5300 Hamilton Avenue, #1404
Cincinnati, Ohio 45224

□ Braille Inc. announces that it has Braille books available. For prices and information contact: Braille Inc., 44 Scranton Avenue, Falmouth, Massachusetts 02540.

□ Vision Foundation, Inc., has just updated and reprinted its large print Inventory List. This 14 page inventory carries over 100 items—most of them free, which have been gathered from around the country. Materials include sample magazines, brochures, cookbooks, catalogs and other informative resources in print, large print, braille, cassette and disc. Not every item is available in all media.

Single copies of the large print Inventory List are free. Bulk orders are 50 cents each. Cassette copies are \$2. each.

Send your order with check for cost items to Vision Foundation, Inc., 770 Centre Street, Newton, Mass. 02158. Tel: 617-965-5877. Massachusetts residents may call toll free: 1-800-852-3029.

□ From Arthur Segal:

"A law suit brought by the NFB of Pennsylvania against the Social Security Administration was recently settled in our favor. Blind individuals living in Pennsylvania who were on state-federal blind pensions prior to 1974 and who were converted to supplemental security income (SSI) in 1974 or later, were denied certain

exemptions in the determination of their SSI grants. Because of this denial, the Federation filed suit and it is now paying off for many of the blind in Pennsylvania. The Social Security Administration must re-determine all blind people living in Pennsylvania at that time to determine if retroactive money is due them. In some cases, it has meant thousands of dollars.

Anyone having lived in Pennsylvania when the Supplemental Security Income was initiated in January of 1974 but has since moved to another state, should contact the Social Security Administration to

see if they would be eligible for any retroactive funds. The Social Security Administration is attempting to inform everyone that might be eligible about this settlement. However, if you have not received a letter by this time, I would strongly encourage you to contact them by letter or phone. Pennsylvania is in region III of the Social Security Administration and you should write Mr. Ben Eizner, Deputy Commissioner, Social Security Administration, 3535 Market Street, Philadelphia, PA 19104, or you may call area code 215/596-6901."

